

MEMO

**North
Lincolnshire
Council**

TO: REBECCA LEGGOTT, DEVELOPMENT MANAGEMENT
FROM: ALISON WILLIAMS, HISTORIC ENVIRONMENT RECORD
REF: PA/2022/2076
DATE: 28/12/2022

SUBJECT: Outline planning permission for the erection of 12 dwellings with all matters reserved for subsequent consideration, land North of High Street, Wroot

PARISH: WROOT

SUMMARY OF ADVICE

- The application site lies within an area where there is high potential for archaeological remains of early prehistoric and later date
- A Heritage Statement is required **PRIOR TO DETERMINATION** of this application to identify and describe the significance of any archaeological evidence within the site
- Archaeological desk-based assessment AND results of archaeological field evaluation comprising the excavation of sample trial trenches will be necessary to inform the Heritage Statement
- The HER advises a **HOLDING OBJECTION** until the results of the field evaluation are available to adequately assess the potential impact of the development on the archaeological significance
- The application should not be determined, except for a **REFUSAL**, until this information is submitted and any appropriate mitigation measures agreed to avoid adverse impact or adequately mitigate loss of heritage interest
- This procedure is in accordance with paragraphs 194 and 195 of the NPPF, Core Strategy CS6 and Local Plan policy HE9
- Should a subsequent decision be taken to grant planning permission, conditions securing mitigation measures in accordance with an agreed Written Scheme of Investigation would be needed; pre-commencement conditions would only be necessary where a Mitigation WSI is not in place.

distinctive and attractive place. HER information provides source material for interpretation by heritage professionals and for use by community groups and individuals. The HER database is updated as new information about the historic environment is discovered.

The HER also provides advice on development proposals that affect, or may affect, the sites and settings of all heritage assets i.e. designated and non-designated historic buildings, archaeological sites and monuments, and historic places, areas and landscapes. This advice is provided against saved local plan policies and national historic environment policies. See <https://www.northlincs.gov.uk/planning-and-environment/historic-environment-and-conservation/>

DETAILED ADVICE: Thank you for consulting the HER on this application.

The applicant has not consulted the HER to identify the known and potential heritage assets that their proposed development might affect and have not submitted a heritage statement with this application. This is contrary to paragraph 194 of the NPPF. The planning authority cannot make a balanced planning decision nor agree any mitigation measures that may be appropriate in accordance with policy until an archaeological assessment including evaluation fieldwork is undertaken and the results made available for consideration.

HERITAGE POLICY

The National Planning Policy Framework (NPPF, 2021) provides guidance to local authorities for conserving and enhancing heritage assets and their settings, which includes archaeological sites and remains. Paragraph 8 refers to the role of the planning system to contribute to achieving sustainable development under three overarching objectives; economic, social and environmental. The environmental objective includes contributing to protecting and enhancing the historic environment.

Section 16 (paragraphs 189-208) of the NPPF details the government's approach to conserving and enhancing the historic environment. Paragraph 189 describes heritage assets as '**an irreplaceable resource**' to be '**conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations**'.

Paragraph 194 requires an applicant to submit information that identifies any heritage asset that their proposals may affect, and that assesses the significance of the assets including the contribution of their settings. Consultation of the local HER is the minimum requirement in this process. Paragraph 194 states that '**Where a site on which development is proposed includes, or has the potential to include, heritage assets of archaeological interest, local planning authorities should require developers to submit an appropriate desk based assessment and, where necessary, a field evaluation.**'

This information should be sufficient to understand the potential impact of the proposal on the significance of any affected heritage assets. It should also allow the local planning authority to assess the degree of impact on the heritage assets and their settings, and how this impact may be mitigated, by avoiding or minimising any conflict between conserving the asset and any aspect of the proposal (NPPF 195).

Such assessment allows the planning authority to make an informed and reasonable decision in line with the sustainable development principles of the NPPF, as well as local planning Plan policies HE8 Ancient Monuments and HE9 Archaeological Evaluation.

Core Strategy policy CS6 Historic Environment states that '**The council will seek to protect, conserve and enhance North Lincolnshire's historic environment as well as the character and setting of area of acknowledged importance including historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains.....**'. And '**Development proposals should provide archaeological assessments where appropriate**'.

Policy HE9 that '**Where development proposals affect sites of known or suspected archaeological importance, an archaeological assessment to be submitted prior to the determination of a planning application will be required. Planning permission will not be granted without adequate assessment of the nature, extent and significance of the remains present and the degree to which the proposed development is likely to affect them**'.

Where impact assessment shows that the significance of heritage assets will be adversely affected by the proposals, then consideration should be given to drawing up appropriate mitigation measures to

conserve them (NPPF 195). This may include avoiding or minimizing disturbance to assets and areas of significance, if necessary by modifying the layout and/or design of the proposals

Paragraph 197 of the NPPF guides local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and the desirability of new development making a positive contribution to local character and distinctiveness.

Effects of an application on designated and non-designated heritage assets are a material consideration and local planning authorities are directed to have regard to the scale of any harm or loss and the significance of the heritage asset when judging the planning balance. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (NPPF 199-203).

Where loss of non-designated heritage assets as a result of development is considered justified, the NPPF (205) makes provision to allow for the recording and advancing understanding of the upstanding or below-ground heritage asset before it is lost (wholly or in part) using planning conditions or obligations as appropriate. The NPPF states that the results of these investigations should be made available to the public via the local HER and that the archive evidence should be deposited with a local museum. Such investigations may range from pre-development historic building recording, archaeological excavation of selected areas, to archaeological monitoring and recording during construction work, all such work to be followed by post-excavation assessment and analysis and the publication of results.

This procedure also accords with Local Plan policy HE9, stating that **'Sites of known archaeological importance will be protected. When development affecting such sites is acceptable in principle, mitigation of damage must be ensured and the preservation of the remains in situ is a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for excavation and recording before and during development.'**

Where Scheduled Monuments, or sites of equivalent significance, are affected directly or indirectly, Local Plan policy HE8 directs **'Development proposals which would result in an adverse effect on Scheduled [Ancient] Monuments and other nationally important monuments, or their settings, will not be permitted.'**

HERITAGE INTEREST

The applicant has not consulted the HER to identify whether their proposals affect or may affect known and potential heritage assets, including those of archaeological interest. This is contrary to paragraph 194 of the NPPF.

I have checked the HER database and our records indicate that the application site has the potential to contain archaeological remains of early prehistoric activity and occupation sites of Iron Age and Romano-British date.

The historic settlement of Wroot is located on an island of sand and gravel that prior to drainage from the 17th century onwards was surrounded by wetlands that provided rich natural resources exploited since the early prehistoric Mesolithic and Neolithic periods. Finds of stone axes, flint tools and tool-making debris have been recorded around Wroot indicating a high level of activity and the potential for surviving below-ground archaeology of this period on the dry, sandy soils. Later prehistoric occupation in the Iron Age and Romano-British settlement is also attested by finds of these periods from the southern and eastern edges of the village. There has been limited archaeological investigation in this area and the absence of recorded evidence within the application site cannot be assumed to be evidence of absence of any archaeology.

ASSESSMENT

There is the potential that any below-ground construction works in this area will encounter significant and well-preserved archaeological remains relating to this prehistoric and Romano-British presence.

The groundworks associated with a residential development would be likely to result in the disturbance and destruction of any archaeological evidence.

The applicant has not consulted the HER during the preparation of this application, and has not submitted a Heritage Statement that describes the significance of the known and potential heritage assets associated with the above records.

Because the site may contain heritage assets of archaeological interest, adequate information is required about the significance of any such assets to properly assess the impact of the proposed development, and thereby to inform the decision-making process in accordance with the NPPF and local planning policies.

The application as it currently stands does not contain sufficient information about the archaeological interest and significance of the site to allow such an assessment to be made. Archaeological desk-based assessment and field evaluation is required to provide this information. The results of the field evaluation will inform the assessment of significance and the impact of the proposals, as well as what mitigation measures may be appropriate, and should be provided in the Heritage Statement.

The archaeological field evaluation and assessment of significance should comprise the following elements to be carried out by a suitably experienced archaeological contractor, such as a Registered Organisation accredited by the Chartered Institute for Archaeology (see <http://www.archaeologists.net/>) or an organisation that can demonstrate that they have equivalent experience, capability and quality management systems in place.

1. Desk Based

- Consultation of the North Lincolnshire HER and other relevant historic environment resources to collate and synthesise the available information of heritage assets of archaeological interest within 500m of the site boundary to provide the archaeological context for the subsequent fieldwork, including appropriate research objectives. Sources should include, but not necessarily limited to, the following: local and national databases; local archives; historic maps and plans; assessment of aerial photographs, drone survey and LIDAR data; geo-technical and geo-archaeological data and other published and unpublished documents;
- Site visit to identify the presence of, or potential for, any above or below ground heritage assets within the development area, and any constraints on archaeological fieldwork
- The results of this preliminary stage should be summarised in the written specification for the following fieldwork, and presented in the final Heritage Statement;

2. Field Evaluation

- Excavation of sample trial trenches to determine the nature, extent, state of preservation and importance of any archaeological remains within the proposed development area informed by the results of preceding stages of study and survey; a specification for this work should be agreed with the HER prior to commencement, to accord with the HER brief for evaluation, and with the relevant Chartered Institute for Archaeologists published Standards and Guidance (<http://www.archaeologists.net/>) and Historic England professional guidelines (<https://www.historicengland.org.uk/images-books/publications/>).

3. Assessment of Significance

- Assessment of the significance of those heritage assets likely to be directly impacted by the development; the assessment of the significance of heritage assets will be take account of the combined results of all the preceding stages of desk and site based evaluation, and be based on the heritage values set out in *Conservation Principles, Policies and Guidance for the sustainable management of the historic environment*, Historic England, 2008 <https://www.historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/>.

4. Assessment of Impact

- Assessment of impact of the proposed development on the significance of the heritage assets based on the findings of the preceding stages, with reference to details of proposed or indicative construction ground works, including site preparation and contamination remediation works, flood and drainage strategies, landscaping and biodiversity requirements.

On completion of all stages of the archaeological field evaluation and assessment set out above, an archaeological Heritage Statement should be prepared and submitted as supplementary information to the planning application before the application can be determined.

The Heritage Statement should consider what the impact of the development on the significance of the archaeological heritage assets will be, including the contribution of their settings. The Heritage

Statement should also explain what steps have been taken to avoid, minimise or mitigate any harm to the significance of the archaeological heritage asset(s) such as avoiding or minimizing effects to areas of archaeological significance, if necessary by modifying the layout and/or design of the proposals ie. in situ preservation.

Alternatively, where loss of archaeological heritage assets as a result of development may be considered justified in accordance with the NPPF policies, provision should be made to archaeologically record the evidence before it is lost either in advance of, or during, development.

Mitigation proposals, including any necessary layout or design amendments, and/or a programme of archaeological excavation and recording, should be submitted with the application in the form of a detailed written scheme of investigation (WSI) for consideration by the planning authority. This is to ensure that all parties understand any subsequent archaeological requirements and allow sufficient time for any pre-commencement works to take place. An appropriate mitigation strategy may then be secured by the council's standard conditions to any permission that may be granted.

Where the applicant does not submit a Mitigation WSI for consideration with the application, it will be necessary to agree pre-commencement conditions with the applicant to secure the submission and the implementation of a scheme, for the approval of the planning authority.

RECOMMENDATION

The proposed development has the potential to impact heritage assets of archaeological interest, potentially remains of high significance. As it currently stands, the information accompanying the application is not sufficient to assess the impact of the proposed development on the archaeological significance, because that significance is currently unknown.

The NPPF makes it clear that identification and assessment of the significance of heritage assets is required **PRIOR TO THE DETERMINATION OF AN APPLICATION**, irrespective of whether an application is in outline or detailed form. Failure to provide this information at this stage of the planning process, may mean a redesign of the scheme at a later stage, with a potential reduction in the number of dwellings that can be delivered.

Accordingly, the HER advises a **HOLDING OBJECTION** to the application until such time as the archaeological evaluation is completed and the results are submitted to the planning authority with any mitigation proposals as appropriate.

Should the evaluation not be completed and a mitigation strategy not agreed within the statutory determination period, the planning authority may request the applicant to extend the determination period or advise the applicant to withdraw the application until the required information is available.

If the applicant does not submit this information, and if for any reason the planning authority has to determine the application in its present form, the application should be **REFUSED** as it is contrary to paragraphs 194 and 195 of the NPPF, Core Strategy policy CS6, and Local Plan policy HE9. This is because the applicant has provided inadequate information to allow the Local Planning Authority to assess the significance of heritage assets affected and the impact of the development on their significance, or to approve an appropriate mitigation strategy.

I trust this recommendation is acceptable. If the planning authority is minded to accept this advice, I would be grateful if you would inform the applicant of the requirement to submit the further information outlined above at the earliest opportunity. In due course, following submission of the additional information I will be able to provide updated advice to the planning authority on the results of the evaluation, the heritage assessment and any appropriate mitigation measures that may be necessary.

Alison Williams
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