

MEMO

**North
Lincolnshire
Council**

TO: TANYA COGGON, DEVELOPMENT MANAGEMENT
FROM: ALISON WILLIAMS, HISTORIC ENVIRONMENT OFFICER
REF: PA/2023/1607
DATE: 26/09/2024

SUBJECT: Planning permission for a residential development with associated internal vehicular and pedestrian access, landscaping and infrastructure and formation of a new roundabout junction on Barton Road linking to a section of Barton upon Humber's relief road, land south of A1077 Barrow Road

PARISH: BARTON UPON HUMBER

SUMMARY OF ADVICE

- The applicant has undertaken archaeological desk-based assessment and field evaluation as advised in accordance with paragraph 200 of the NPPF and saved Local Plan policy HE9 Archaeological Evaluation
- The archaeological field evaluation of the site comprised geophysical survey and archaeological trial trenching and has identified an area of the site where archaeologically significant remains of prehistoric date survive
- Proposed development would destroy these remains resulting in substantial harm to the archaeological interest of the site; mitigation to avoid or off-set the harm is therefore required
- The applicant has submitted a Specification for A Programme of Archaeological Strip Map & Record that provides for the pre-construction excavation and recording of the archaeology within the identified area
- These mitigation proposals will satisfactorily off-set the harm to the non-designated archaeological significance, and there are no archaeological reasons to object to this application
- If the planning authority gives consent for the application, any permission should be subject to conditions securing the implementation of the mitigation strategy set out in the specification
- This procedure is in accordance with paragraphs 209 and 211 of the NPPF, and local planning policies CS6 and HE9.

HISTORIC ENVIRONMENT RECORD (HER) FUNCTION: To hold, maintain, interpret and manage heritage information, enhancing the understanding of the area's historical development as a 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 the opportunity to comment on this application.

Further to our pre-application advice, the applicant has undertaken archaeological desk-based assessment and field evaluation in accordance with paragraph 200 of the NPPF and saved Local Plan policy HE9 Archaeological Evaluation.

The archaeological field evaluation of the site comprised a preliminary geophysical survey followed by archaeological trial trenching to identify the presence/absence of archaeology, and to characterise any remains encountered and determine their significance.

The applicant has submitted the initial desk-based assessment report (October, 2022) with their application and the specification for the archaeological evaluation, however they have not submitted the reports of the results of the survey and trial trenching that were undertaken in 2022. The evaluation reports were submitted pre-application and are held on the HER; the reports should be submitted with the planning application.

Further to the evaluation results, the applicant has submitted a Specification for A Programme of Archaeological Strip Map & Record (rev September 2024) which sets out proposals to achieve preservation by record of the identified heritage assets of archaeological significance in the eastern part of the application site.

This information is sufficient for the local planning authority to determine the application in accordance with the national and local planning policies (Appendix 1).

ARCHAEOLOGICAL INTEREST

The archaeological and historical background to the application site and the results of the geophysical survey and archaeological trenching are set out in the Specification.

The archaeological evaluation encountered a relatively low density of archaeological remains across the site with an area of interest in the eastern central section where a potential penannular ditch and horseshoe-shaped ditch were identified. The partial carcasses of three new-born or very young lambs or goat kids were found in a section through the penannular ditch which was poorly preserved and one of the carcasses was radiocarbon-dated to the middle to late Iron Age (697calBC - 404calBC), indicative of a possible ritual deposition and suggesting that the site might be associated with the known Iron Age settlement to the north off Falkland Way.

No significant archaeological features were encountered elsewhere within the application site including within the section of the proposed Barton Link Road running through the centre of the site.

ASSESSMENT OF SIGNIFICANCE & IMPACTS

The results of the field evaluation demonstrate that the application site contains previously unknown features that have evidential value and can contribute further archaeological evidence relevant to the East Midlands Historic Environment Research Strategy in particular for the prehistoric and Roman periods (see <https://researchframeworks.org/emherf/>).

On current evidence, the archaeological remains within the application site are assessed as of local and potential regional importance; the remains are very shallow and not well-preserved due to plough truncation and do not meet the criteria for national importance, as such they are considered as a non-designated heritage asset.

The impact of the groundwork associated with the construction of the proposed development would destroy the archaeological evidence through physical impacts and removing the potential for future investigation of the archaeological interest. The destruction of these archaeological remains amounts to substantial harm to a non-designated heritage asset.

Paragraph 209 of the NPPF directs local planning authorities that in the case of non-designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset. The archaeological significance of the application site and the impact of development should therefore inform the determination of this application.

I do not consider that these archaeological remains merit preservation in situ and are not a constraint on development. However, whilst there are no reasons to object to the principle of development on any archaeological grounds, it will be important to ensure that the harm to the archaeological remains is off set through a programme of preservation by record and community benefit through dissemination of results.

MITIGATION

Accordingly, the applicant has submitted a Specification for A Programme of Archaeological Strip Map & Record (rev September 2024). This document provides for a programme of pre-construction archaeological excavation work to be conducted in advance of groundworks associated with the proposed development, as follows:

- Archaeological excavation of the area identified on Fig 4 of the specification including two contingency excavation areas should archaeological features extend beyond the initial strip. The specification sets out the timing of the archaeological works to be undertaken while construction work on the roundabout and the section of link road [planning application PA/2023/1981] that will run through the site is in progress, to ensure that the site will be ready for residential development as soon as the highway infrastructure has been completed on the site. The archaeological work will not be affected by the road construction works, which do not enter or approach the archaeologically significant areas of the site.
- Post excavation assessment, analysis, publication and archiving of results with the North Lincolnshire Museum Service and the Archaeological Data Service.

I am satisfied that the strategy for archaeological mitigation set out in the Specification is acceptable to achieve preservation by record proportionate to the significance of the remains. The specified areas of the archaeological investigations and the methodologies for archaeological recording are appropriate to the significance of the known archaeological remains.

As such I have no objection to the application. The archaeological considerations should inform the planning decision and be given due weight in the planning balance in accordance with paragraphs 209 and 211 of the NPPF, and with local planning policies for the historic environment including CS6 and HE9.

RECOMMENDATION

There are no archaeological reasons to object to the planning application subject to planning conditions securing the implementation of the agreed programme of archaeological works in accordance with the submitted Specification.

Should the planning authority consider the loss of the archaeological remains justifiable and grants consent for this application I would be grateful if the following conditions are attached to any permission, to secure the implementation of the agreed archaeological mitigation strategy and the preservation of the archaeological evidence by record:

Condition 1

No development shall take place until the area of proposed archaeological excavation identified in the approved Specification for A Programme of Archaeological Strip Map & Record has been securely fenced to exclude all construction activity and traffic other than in connection with the archaeological excavation. The exclusion area shall be clearly identified with appropriate site notices and the exclusion area will be maintained until the archaeological excavations are complete.

Reason

To preserve archaeological remains in situ and free from damage until the approved archaeological excavations take place to preserve the remains by record; in accordance with paragraph 211 of the NPPF, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Local Plan.

Condition 2

No development shall take place within the area of proposed archaeological excavations until the applicant or their successors in title has commissioned and secured the implementation of the approved Specification for A Programme of Archaeological Strip Map & Record (PCAS Ltd, rev September 2024).

Reason

To preserve by record any archaeological remains identified within the site in accordance with paragraph 211 of the NPPF, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Local Plan.

Condition 3

The applicant shall notify the HER and planning authority in writing of the intention to commence the archaeological site works at least 10 days before commencement. Thereafter, the archaeological programme shall be carried out in accordance with the details and timings in the approved Specification for A Programme of Archaeological Strip Map & Record.

Reason: To preserve by record any archaeological remains within the development site in accordance with paragraph 211 of the NPPF, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Local Plan.

Condition 4

The final dwelling erected on the site of the archaeological excavation area shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Specification, and provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To preserve by record any archaeological remains within the development site in accordance with paragraph 211 of the NPPF, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Local Plan.

Condition 5

A copy of any analysis, reporting, publication, or archiving required as part of the approved mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record and the archive at the North Lincolnshire Museum and with the Archaeological Data Service within 12 months of the commencement of the archaeological programme of work or such other period as may be agreed in writing by the local planning authority.

Reason: To preserve by record any archaeological remains within the development site in accordance with paragraph 211 of the NPPF, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Local Plan.

I trust this recommendation is acceptable.

Alison Williams
Historic Environment Officer
Alison.williams@northlincs.gov.uk

APPENDIX 1 - RELEVANT HERITAGE POLICY

The National Planning Policy Framework (NPPF, Dec 2023) 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 195-214) of the NPPF details the government's approach to conserving and enhancing the historic environment. Paragraph 195 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 200 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 200 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 201).

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 policies.

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 201). 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 203 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. The higher the significance of the heritage asset, the greater the weight for its conservation. As all heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (NPPF 205-209).

Footnote 72 directs that '**Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.**'

Where loss of any heritage significance, including of non-designated heritage assets, because of development is considered justified, the NPPF (211) 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 for example 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.

The national approach accords with the following current local planning policy:

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'.

Where Scheduled Monuments, or sites of equivalent significance, are affected directly or indirectly, Saved Local Plan policy HE8 Ancient Monuments 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.**'

Saved Local Plan Policy HE9 Archaeological Evaluation '**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.**

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.'