

MEMO

**North
Lincolnshire
Council**

TO: DEAN WATSON, DEVELOPMENT MANAGEMENT
FROM: ALISON WILLIAMS, HISTORIC ENVIRONMENT OFFICER
REF: PA/2025/254
DATE: 01/05/2025

SUBJECT: Hybrid planning permission comprising of outline, with all matters reserved for up to 550 dwellings, a local centre (use Class E), associated landscaping, drainage and other infrastructure works. Full Planning permission for the construction of a new vehicular access off the M181/A1077(M) roundabout, a pedestrian and cycle link to Scotter road, a pumping station, earthworks and off-plot drainage, ecological and associated landscaping and infrastructure works, Land East of M181/A1077(M)

PARISH: ASHBY PARKLANDS

SUMMARY OF ADVICE

- The proposed development has the potential to impact archaeological and palaeoenvironmental remains spanning the Mesolithic to modern periods
- The applicant has submitted a Heritage Statement incorporating a desk-based archaeological and geoarchaeological assessment and geophysical survey
- Further archaeological evaluation comprising targeted intrusive investigation is required to adequately assess the significance of heritage assets within the site and the impacts of the proposals on the heritage interest including the secondary impacts
- 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 to avoid harm to heritage interest, or further programmes of archaeological recording are agreed to adequately record loss of heritage interest in advance of development commencing or during construction
- This procedure is in accordance with paragraphs 207 and 208 of the NPPF, Core Strategy CS6, and saved Local Plan policy HE9 Archaeological Evaluation
- If planning permission is subsequently granted, conditions securing the implementation of the agreed archaeological mitigation measures will be needed.

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.

The HER provided pre-application advice for this proposed development in December 2024 (PRE/2024/122) and advised that a statement of heritage significance would be required in relation to heritage assets of archaeological interest. The statement would need to be based on the results of an archaeological investigation comprising desk-based research and the results of archaeological field evaluation comprising geoarchaeological and palaeoenvironmental investigations, geophysical survey and trial trench excavations.

At a meeting with the applicant and their archaeological advisors in February 2025, the HER advised that their draft desk-based assessment and geophysical survey reports required some additional information and amendments, and that the next stage of archaeological field evaluation, the excavation of targeted trial trenches, should be undertaken prior to the submission and determination of the proposed planning application. The results of the completed evaluation should update the assessment of heritage significance to comply with paragraph 207 of the NPPF and saved Local Plan policy HE9 (see Appendix Heritage Policy).

The current planning application was submitted with the Heritage Statement (BWB February 2025) incorporating the desk-based research (BWB, Dec 2024), geoarchaeological assessment (York Archaeology, 2023) and geophysical survey (Magnitude Surveys, 2024) reports. The reports have not been amended and updated in line with the HER comments provided most recently in February. Nor has the HER received any proposals for the trial trench evaluation which, to date, has not been undertaken.

The planning authority cannot make a balanced planning decision, nor agree any mitigation measures that may be appropriate in accordance with policy until the archaeological assessment including evaluation fieldwork is completed and all results made available for consideration.

HERITAGE BASELINE

The North Lincolnshire HER (NLHER) database has been checked, and our records indicate these proposals have the potential to impact on archaeological and palaeoenvironmental remains spanning the Mesolithic to Bronze Age and Medieval to modern periods. These heritage assets include known and potential archaeological remains of prehistoric to post-medieval date, geoarchaeological and palaeo-environmental evidence buried with the underlying stratigraphy of sands, peat and warp deposits.

Previous archaeological investigations associated with earlier development proposals in this part of Lincolnshire Lakes and with variable coverage of the current application site have included fieldwalking (Phasing Allocation; all Hargreaves Plots), geophysical survey (partial coverage; Hargreaves Plots north of Brumby Common Lane), trial trenching (limited coverage of Hargreaves Plots BG2, BG4 and FDP) and geoarchaeological observations of GI test pits.

Archaeological features recorded by these investigations within the site include a potential Bronze Age ring ditch or barrow (NLHER MLS25906), a raised medieval trackway known as the Frodingham causeway (NLHER MLS25905), and a series of later, 19th century warping drains, the largest of which Earl Beauchamp's Drain (NLHER MLS24682) runs through the application site.

Geoarchaeological investigation across this area of Lincolnshire Lakes (North) has identified the deposit sequence of the aeolian (wind-blown) Sutton Sands underlying the site with buried and interbedded peat deposits that formed as intermittent and discrete areas in lower-lying depressions at varying times radiocarbon dated between the Mesolithic to the Iron Age. The sands and later warp deposits have the potential to bury earlier land surfaces and archaeological remains.

These deposits have the potential to contain archaeological artefacts and palaeoenvironmental evidence that can inform the archaeological record, through to evidence of the post-medieval drainage and warping of the former low-lying heathland.

Several significant Bronze Age finds have come from these former heathlands including a hoard of rapiers and a spearhead (NLHER MLS1344), a superb bronze shield (NLHER MLS1346) from Burringham Common, as well as a hoard of bronze axes from the riverbed at Keadby Bridge (NLHER MLS2486).

Archaeological investigations have been undertaken in this part of the Trent valley including on the previous proposal for Lake 1 (PA/2016/1736), the northern part of which lies within the current application site to the south of Brumby Common Lane (Hargreaves Plot BG4), and the northern M181 terminal roundabout.

These investigations and more recent geoarchaeological observations of GI work across the site have revealed that varying thicknesses of peat are present at shallow depth, between 0.30m and 0.60m BGL or between 1.00m and 1.50m BGL within the site; radiocarbon dating of peat layers present within the application site reveals intermittent formation from the Mesolithic/Neolithic through to the Medieval periods (NLHER MLS26076 and MLS26765).

These deposits have potential to contain archaeological remains ranging in date from the Upper Palaeolithic pre-peat landscape, organic and inorganic artefacts within the prehistoric peats, and well-preserved structures associated with the 19th century warping operations.

Given this evidence, there is the potential that the application site contains archaeological remains the significance of which is not yet known that would be disturbed and/or destroyed by the proposed development.

The enabling site preparation work for the proposed development includes considerable areas of remodelling of the site topography including ground reduction (c.1.5m) that would likely directly impact on the deposits and/or the site hydrology that affects their preservation, and ground raising surcharging that may compact the soft deposits. Other impacts would arise through development impacts such as the construction of infrastructure, roads, drainage, services, foundations, piling, flood mitigation and SUDs, as well as landscaping and, in particular the BNG proposals for the water mitigation area adjacent to the M181 (Hargreaves Plots).

The available information is insufficient to assess the full significance of potential archaeological remains. The construction of the proposed development and its associated infrastructure may disturb and destroy important archaeological remains.

APPLICANT'S ASSESSMENT

To date, the applicant has undertaken desk-based research including obtaining the HER data (summarised above) for the site and surroundings, geoarchaeological observations, assessment and deposit modelling, and a site-wide geophysical survey (additional to the earlier partial survey). The applicant has also provided the HER with geoarchaeological deposit model fence diagrams although these are not included with the application.

The HER made the following comments on the draft version of the Heritage Statement, none of which appear to have been actioned in the version of the Heritage Statement submitted with the application dated February 2025 (paragraph numbers below refer to the Statement):

5.8 We noted this paragraph should reference the prehistoric finds from the wider study area on Burringham Common including the Bronze Age shield and hoard (see above) as important contextual information.

5.10 – 5.11 Missing from the Medieval/Post-medieval section is reference to the Frodingham causeway, that is mapped as a cropmark on historical air photos passing diagonally through

the application site (NLHER MLS25905). We further noted that linear anomalies on the same alignment as the causeway are clearly identified on both geophysical surveys (2015 and 2024).

5.10 The Church of the Reconciliation is a Modern 20th century church with no known earlier origin.

5.33 The radiocarbon dates for ELS4335 are detailed on the associated Monument record MLS26076.

5.19-5.22 Cartographic Analysis & Aerial Photographs – We noted two structures on the OS 6" map and visible on the 1947 AP at SE8665 0952. The earlier, single structure on the 1885 map had an OS Benchmark and was located at southeast end of MLS27026, a warping compartment, so could represent a warping related structure. Warp related structures and features have potential to be regionally important for research into later agricultural history specific to this area of the country.

7.2 There are other warping drains in the proposed borrow pit area that are not noted here. MLS24682 Earl Beauchamps Drain and MLS27026 Warping Compartment embankment. The monument polygons for these records are also missing from Figure 2 of the Heritage Statement, Location of Non-designated Assets

Appendix 7 Geophysical Survey report (Magnitude Surveys, 2024) we note that this report lacks any archaeological background or reference to the earlier geophysical survey (Allen Archaeology, 2015). This is unsatisfactory as the Magnitude geophysicists did not have the necessary information when interpreting their survey results.

For example, the linear anomaly which is clearly on the alignment of the recorded Frodingham Causeway (NLHER MLS25905) and is referred to as such in the previous survey report, is interpreted by Magnitude as a Water management feature. Furthermore, Magnitude do not refer to the possible ring ditch (NLHER MLS25906) identified by the earlier survey nor do they, as specialists, offer any explanation if they did not identify the corresponding anomaly in their data.

The applicant's impact assessment (Section 7) identifies that the proposed groundworks and extensive excavations for the borrow pits and water mitigation areas adjacent to the M181 will impact the recorded archaeological features. Additionally, these will include the Frodingham Causeway, the potential ring ditch which has yet to be confirmed by intrusive investigation but could be a significant heritage asset, cropmark features and geophysical anomalies that may represent warping related structures, as well as potential unrecorded archaeology not yet identified, all of which are likely to be evidenced by cut features.

The geophysical survey report notes that the warping deposits may have contributed to the varied magnetic background across the survey results; this may be masking more deeply buried archaeological features. The survey report provides qualification to the interpretation of the survey results that only by comparison of excavated results can the interpretations be confirmed and/or improved (Magnitude, 7.1.1).

Intrusive archaeological investigations to date have comprised a very small sample of the application site area of c. 58ha.

The impacts of the development are likely to extend beyond the deposits and the depths that the applicant has assessed. The geoarchaeological impact assessment notes the whilst the intention is not to excavate the peat deposits, the upper surface of the peats will be directly impacted by truncation. The remaining deposits would be negatively affected by secondary impacts on preservation conditions from the remodelling of surface topography and piling effects resulting in desiccation and destruction.

Moreover, it is important that the nature and significance of any archaeological remains within the areas to be surcharged with the excavated materials is properly understood before assuming that they will not be impacted and that they can be preserved in situ once developed over whilst maintaining their archaeological interest which is defined in the NPPF as being capable of future expert investigation.

FURTHER INFORMATION REQUIREMENTS

Because the site contains known and potentially unknown 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. A final stage of archaeological field evaluation is required to provide this information. The results of the completed 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 iterative stages 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. The appointed contractor must have access to appropriate geo-archaeological expertise. All fieldwork should be undertaken in accordance with CIFA's published Standards and Guidance for evaluation, and Historic England professional guidelines (<https://www.historicengland.org.uk/images-books/publications>).

1. Field Evaluation

- Excavation of targeted trial trenches across the site to determine the nature, extent, state of preservation and importance of any archaeological remains within the proposed development area informed by the recorded heritage data and results of preceding stages of evaluation including the two geophysical surveys and the geoarchaeological assessment and deposit model as well to confirm absence of significance within apparent 'blank' areas of the site. As well as known heritage assets, the trenching should investigate the potential for the presence of lithics within the coversands and at the interfaces between the coversands and peat horizons where buried land surfaces may be preserved and should incorporate additional geoarchaeological and palaeoenvironmental assessment.

2. Assessment of Significance

- Based on the results of the field evaluation in stage 1, an 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 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/>.

3. 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 but not limited to proposed site preparation works (excavation of borrow pit and remodelling of site topography) and construction ground works such as construction of infrastructure, roads, drainage, services, foundations, piling, flood mitigation and SUDs, as well as landscaping and all BNG requirements; in the case of any loss of significance or harm to heritage assets, the relevant tests in the NPPF should be applied.

4. Mitigation

- An explanation of any measures taken to avoid, minimise or mitigate any harm to the significance of the heritage asset/s, including within their settings, and maintaining archaeological interest including the ability to undertake future investigations. These measures should be set out in an Archaeological Mitigation Strategy for the development.
- Where harm to heritage significance is unavoidable and considered to be justifiable in the public interest, measures to record the heritage interest to be lost should be included; in the case of archaeological remains these measures should be set out in a Written Scheme of Investigation (WSI) setting the scope, methodologies and timelines of an appropriate programme of archaeological work and the requirement for the submission of a specification or project design from the archaeological contractor commissioned to undertake the works

- Measures for public benefit to enhance heritage assets and engender community participation in and appreciation of the local heritage should be included in the Archaeological Mitigation Strategy.

On completion of all stages of the archaeological field evaluation and assessment set out above, an updated 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 programmes of archaeological excavation and/or monitoring 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.

ADVICE

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 207 and 208 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.

If the planning authority accepts 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.

Following the agreement of an appropriate mitigation strategy for the site, where the planning authority subsequently grants planning permission, conditions securing the implementation of the strategy would be needed and I can advise on appropriate wording in due course.

Alternatively, and without prejudice to this advice, if the planning authority moves to determine and approve the planning application before the evaluation is completed and any mitigation measures are agreed, a staged planning condition to secure the completion of the final stage of evaluation and any subsequent mitigation measures should be included on the decision notice. If this is the course to be taken, I can advise on appropriate wording.

Alison Williams
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APPENDIX - RELEVANT HERITAGE POLICY

The National Planning Policy Framework (NPPF, Dec 2024) 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 202-221) of the NPPF details the government's approach to conserving and enhancing the historic environment. Paragraph 202 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 207 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 207 also 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 208).

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 208). 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 210 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 212-216).

Footnote 75 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 (218) 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 (Footnote 76). 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.'