

MEMO

**North
Lincolnshire
Council**

TO: SCOTT JACKSON, DEVELOPMENT MANAGEMENT
FROM: ALISON WILLIAMS, HISTORIC ENVIRONMENT RECORD
REF: PA/2025/794
DATE: 30/07/2025

SUBJECT: Planning Permission for the construction and installation of a Battery Energy Storage System, associated infrastructure, landscaping, fencing, access tracks, and biodiversity net gain planting, Land to the south of Sweetbriar Farm, ULCEBY

SUMMARY OF ADVICE

- The application site lies within an area with potential to contain archaeological remains that the proposed development would harm
- Our advice on the EIA screening opinion (SCR/2025/1) recommended desk-based and archaeological field evaluation take place to inform the planning application; to date, the evaluation is incomplete
- The applicant has submitted a desk-based heritage assessment incorporating the results of a geophysical survey report that identified some features that could have an archaeological origin
- Further information on the archaeological potential and significance of the application site is required to inform the planning authority's assessment
- **PRE-DETERMINATION** completion of the archaeological field evaluation comprising the excavation of trial trenches should be undertaken
- The HER advises a **HOLDING OBJECTION** until the results of the completed 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 207 and 208 of the NPPF, Core Strategy CS6 and Local Plan policy 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 consulting the HER on this application. The Conservation Officer will provide separate advice regarding the built heritage assets, this memo with focus on the archaeological interest of the site.

The HER commented on an EIA screening opinion on this site, ref: PA/SCR/2025/1. The HER advised that a statement of heritage significance would be required in relation to heritage assets of archaeological interest and that the statement would need to be based on the results of an archaeological investigation comprising desk-based study, fieldwalking, geophysical survey and trial trenching.

The applicant has submitted a Historic Environment Assessment, Heritage Archaeology, June 2025) that incorporates a geophysical survey report (Appendix C, Magnitude Surveys, May 2025) but has not undertaken any fieldwalking or trial trenching. Geophysical survey, as with fieldwalking, is a preliminary stage of an archaeological field evaluation generally followed by the excavation of trial trenches to confirm the results of the survey. Without the results from these stages of field evaluation there is inadequate information to identify and assess archaeological significance and the impact of the proposed development.

Until the archaeological fieldwork is complete and the results made available for consideration, the planning authority cannot make a balanced planning decision nor agree any mitigation measures that may be appropriate in accordance with national and local heritage planning policy.

HERITAGE INTEREST

The application site lies within an area where there is some potential for archaeological remains to be present.

The HER records indicate that the site lies within an area where archaeological sites and finds of prehistoric and Roman date are recorded and where unrecorded remains can be anticipated. Prehistoric and Roman sites and finds are recorded elsewhere within the parish including a possible Iron Age chariot burial or hoard of high-status artefacts found when the railway was constructed near the station at Ulceby Skitter.

A recent archaeological evaluation for the proposed solar farm adjacent (PA/2022/443) did identify some archaeological features although these were undated and not of high significance.

The applicant has submitted a geophysical survey report that has identified anomalies that identified some features that could have an archaeological origin ranged across the site. Other anomalies appear to have a historical or natural origin.

The results of the geophysical survey are not sufficient to assess the significance of any potential archaeological remains which may be high and further information is required to enhance the interpretation of the results.

The construction impacts of the proposed BESS and all associated infrastructure are considerable and may destroy important archaeological remains.

INFORMATION REQUIREMENTS - FURTHER ASSESSMENT

The exact nature of some of the features detected by geophysical survey is unclear and may have an archaeological origin; moreover, the geophysical survey may not have identified all potential archaeological remains, such as short-lived or isolated features for example pits or graves. The limitations of geophysical survey are acknowledged in the survey report (Magnitude Surveys, 7.1 Qualification, pg 8).

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. Further field survey and evaluation is required to provide this information.

The archaeological field evaluation and assessment of significance should comprise the following elements and 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 to develop their specification for the evaluation and to undertake any geoarchaeological elements of the evaluation.

The scope and specification of the work for each stage of the pre-application field evaluation set out above should be discussed and agreed with the HER prior to commencement. 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. Pre-Determination Field Evaluation

- Systematic fieldwalking and/or metal detection for surface collection of archaeological artefacts, to identify the range and distribution of all materials and plot potential archaeological features;
- 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;

2. Assessment of Significance

- Assessment of the significance of those heritage assets likely to be directly and/or indirectly impacted by the development; the assessment of the significance of heritage assets will be based on 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/>.
- The methodology of assessing the contribution of setting to significance should be undertaken as set out in Historic England's Historic Environment Good Practice Advice Note 3 ('The Setting of Heritage Assets' 2nd Edition, 2017) <https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/> and should not be limited to designated heritage assets.

3. Assessment of Impact

- Assessment of impact of the proposed development on the significance of the heritage assets and their settings based on the findings of the preceding research, surveys and trial trenching with reference to details (known or indicative) of proposed construction ground works including but not limited to site preparation works, foundations, access, service connections, flood and drainage strategies, landscaping proposals and BNG requirements and of subsequent operational and decommissioning impacts; in the case of any loss of significance or harm to heritage assets, the relevant tests in the NPPF should be applied.
- Consideration must also be given for future accessibility to conduct archaeological investigations to ensure the archaeological interest is maintained and available for future generations to investigate.

4. Mitigation

- Options should be explored to:
 - Conserve and enhance settings and significance of all heritage assets
 - Mitigate to avoid or minimise any harm to heritage assets including archaeological remains during the construction and operation of the development
 - Maintain archaeological interest including the ability to undertake future expert investigation
 - 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 work
 - Measures for community engagement and public participation to extend understanding of the heritage and archaeology of the site

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

This will allow an informed assessment of what the impact of the development on the significance of the archaeological heritage assets will be, including the contribution of the settings to significance.

Mitigation measures may then be considered 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 because 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 (NPPF, 218).

An Archaeological Mitigation Strategy including any necessary layout or design amendments should be submitted with the planning application and should include detailed proposals for appropriate archaeological recording with the submission of a detailed written scheme of investigation (WSI) for an appropriate programme of archaeological excavation and recording for consideration by the planning authority. The WSI should be prepared by the archaeological contractor appointed to carry out the archaeological works.

This would ensure that all parties understand any subsequent archaeological requirements and allow sufficient time for any pre-construction archaeological excavations to take place. In the event of a permission being granted, an agreed archaeological mitigation strategy and implementation of the WSI may then be secured by the council's standard conditions.

The mitigation strategy should also include measures to enhance heritage assets and extend public understanding as well as engender community participation with the programme of archaeological recording work.

An appropriate mitigation strategy may then be secured by the conditions to any permission that may be granted.

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 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.

Alison Williams
Historic Environment Officer
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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.'