

Archaeology and Planning: Guidance for Planners

The historic environment is a material consideration within the planning process and the guidance in the National Planning Policy Framework (NPPF)¹ should be applied to ensure the historic environment has a positive role in sustainable development and as part of the fabric of our day to day lives.

Whilst national guidance means that an applicant and their agent can expect to encounter broadly compatible services across the country the following guidance is to reassure how matters are likely to be dealt with locally.

This document advises Planning Officers on when and how to incorporate specialist archaeological advice pre-application, during determination, and post determination.

1. Pre Application and Registration of applications

It is important that planning applications are submitted with sufficient information to enable the planning authority to make a well informed determination without undue delay².

1.1. Pre-Application

For applications to run smoothly archaeology should be addressed at the pre-application stage

- 1.1.1. Planning officers should use the ALERT³ map and guidance to identify when archaeology is likely to present a concern. All major developments³ should consider their impact upon archaeology as well as minor developments within ALERT areas.
- 1.1.2. The County Archaeologist is happy to discuss whether or not archaeology is a material consideration and engage in discussions with what material should be submitted with a planning application (the 'Heritage Statement').
- 1.1.3. The earlier that archaeology is identified as an issue, and the sooner it is address by the applicant the less likely it is to be a sticking point further down the line.

1.2. Heritage Statements

Archaeological matters should be addressed within the Heritage Statement submitted with the planning application

- 1.2.1. All major developments³ should be accompanied by a Heritage Statement that addresses archaeology.
- 1.2.2. The County Archaeologist has provided an ALERT⁴ map to the local planning authorities which indicates the most sensitive archaeological locations. Planning officers and applicants can use ALERT as a guide to which minor developments might also need a Heritage Statement that addresses archaeology.
- 1.2.3. A Heritage Statement should:
 - *Assess the archaeological potential of the site.* This might be known archaeology, remains that might be, or evidence that past land use that may have destroyed or compromised archaeological survival.

¹ *National Planning Policy Framework*. March 2012. Dept for Communities and Local Government

² *NPPF paragraph 128, p.30*

³ As defined in *The Town and Country Planning (Development Management Procedure) (England) Order 2010*

⁴ See *Guidance on using ALERT*. Hampshire County Council 2012.

- *Assess the impact of the development*, such as ground works, impact on water table (which could have an impact upon preservation *in situ*), impact on the setting of archaeological sites, or increased pressure on a site management through adjacent land use change (e.g. recreational pressure).
- *Set out how the impacts might be mitigated*, e.g. within sympathetic design; within foundation design; preservation of archaeological remains (e.g. in open space); within Green Infrastructure plans; by archaeological excavation through to publication; a watching brief during development or building recording of structures of historic value that will be lost.
- The Heritage Statement might also seek to set out the positive opportunities that arise through development, such as a positive influence on design and sense of place; using archaeology or the archaeological story within the development (e.g. through place naming, open space, interpretation panels); making available archaeological knowledge for the local community; the potential role of local heritage in green infrastructure, or even influence street naming or choice and design of public art.

1.2.4. The County Archaeologist will review the Heritage Statement and advise the planning authority whether it should satisfy the planning authority. Whilst in many cases the County Archaeologists will review the Heritage Statement as attached to a planning application that has been registered, the applicant or the planning officer may in other cases wish to seek some preliminary reassurance as to the suitability of an Heritage Statement prior to the application being registered. This will reduce the chance that archaeological issues will cause delay to the progress of the application.

1.2.5. If the mitigation strategy that has been set out is not satisfactory the County Archaeologist will be happy to offer advice, to the applicant or the planning authority, as to how the weaknesses should be addressed. The County Archaeologist will also be happy to endorse a mitigation strategy to the planning authority if it meets the archaeological concerns.

1.3. Pre-determination Evaluation

Occasionally, and in accordance with the NPPF⁵, the Planning Authority may not be satisfied that desk-based assessment is sufficient to enable an informed assessment of impact. In these instances the County Archaeologist may advise that an archaeological field evaluation be undertaken to inform the planning authority prior to determination of the application.

1.3.1. A pre-determination evaluation is usually necessary where the outcome of the evaluation has the potential to alter the determination of the application (e.g. may discover something that could require preservation, or something whose excavation is so onerous as to be an unreasonable burden to secure through a condition).

1.3.2. A pre-determination evaluation is strongly advised for very large developments where given the scale of the development the potential for previously unidentified archaeological remains of this nature to be discovered is greater. It is also strongly advised for larger developments so that any resulting mitigative investigations can be incorporated into the development programme. Early evaluation also facilitates the incorporation of historic environment features into design and enables the positive aspects of the historic environment to be presented with the planning application.

⁵ NPPF paragraph 128, p.30

1.3.3. The evaluation methods (geophysics, field walking, trial trenching, test pits etc.) should reflect the nature of the archaeological target. Techniques and percentages of the samples need to be supported by a cogent argument rather than adhering to a 'standard' formula.

1.4. Archaeological management plans

In situations where the planning authority do not wish to pursue pre-determination evaluation but where there is a high likelihood of previously unidentified or complex archaeology the planning authority may suggest that the applicant produces an 'archaeological management plan' to accompany the application.

1.4.1. The archaeological management plan should include an assessment of the potential for archaeological findings and make clear provision for archaeological evaluation and the accommodation of the findings and implied archaeological mitigation within the work programme and, if necessary, design. The management plan should also address the strategy for public engagement with the results of archaeological investigation.

1.4.2. If the archaeological management plan that has been set out is not satisfactory the County Archaeologist will be happy to offer advice, to the applicant or the planning authority, as to how the weaknesses should be addressed. The County Archaeologist will also be happy to endorse an archaeological management plan to the planning authority if it meets the archaeological concerns.

2. Consultation

2.1. The planning authority may consult the County Archaeologist on any planning application which might, in their opinion, have an archaeological issue⁶. However it is recommended that the County Archaeologist is consulted⁵:

- on all major applications⁷, and
- on other applications according to the criteria set out with the ALERT map.

2.2. If in doubt a preliminary enquiry to the County Archaeologist is always welcome. It is worth noting that where an archaeological issue is raised late in the day, sometimes by a third party, it can prove hard to resolve within shortened timescales or might cause delay.

2.3. Where an overriding archaeological concern is raised a representation to that effect will be put to the planning authority. However, it is more usual that the impacts of development can be mitigated

2.4. Archaeological mitigation usually takes two forms: preservation *in situ* (i.e. no dig) by working with layout or foundation design, or preservation by record (i.e. digging) through archaeological recording ahead of or during development.

2.5. It would be usual for recording to be secured by a condition. A standard condition would normally refer to the implementation of a written scheme of investigation (WSI) and it would be within that scheme that the details and complexities of the mitigation solution would be set out.

⁶ NPPF paragraph 129, p.30

⁷ As defined in *The Town and Country Planning (Development Management Procedure) (England) Order 2010*

3. Archaeological conditions

This section sets out the attachment of conditions, their monitoring and their discharge.

3.1. Attaching conditions

3.1.1. Archaeological mitigation would usually be secured by an archaeological condition attached to any planning permission which might be issued⁸⁹. Where this derives from a well constructed Heritage Statement the aims of the condition should be familiar to the applicant as being those proposed in the Heritage Statement. But in any event the County Archaeologist will seek to make clear the objectives of the archaeological condition within the consultation response.

3.1.2. A standard archaeological condition would normally provide that no development will take place until the implementation of a written scheme of investigation (WSI) has been approved and secured. This allows the details and complexities of the scheme to be explored in the WSI.

3.1.3. A general standard condition could be:

- *That no development take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written specification that has been submitted to or approved by the Planning Authority.*

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for this and future generations.

3.1.4. For larger developments multiple conditions might be more appropriate. For example:

- *That no development shall take place until the applicant has secured the implementation of a programme of archaeological evaluation in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.*

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets.

- *That no development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.*

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for this and future generations.

- *Following completion of archaeological fieldwork a report/reports will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.*

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.

⁸ NPPF paragraph 141, p32

⁹ NPPF paragraph 206, p47

3.2. Monitoring

3.2.1. It is usual to keep the County Archaeologist informed as to the timetable of works (excavation and post-excavation) and of findings on site so as to enable appropriately timed monitoring or assistance. It is not always necessary for site monitoring to take place particularly where results are negative or highly predictable, but the option and opportunity of site monitoring should always be made.

3.3. Meeting and discharging conditions

3.3.1. The County Archaeologist is happy to assist the planning authority on:

- technical archaeological matters relating to the content of a WSI (which the planning authority will need to approve)
- the implementation of the archaeological condition,
- on site monitoring to ensure implementation of the WSI is effective, and
- monitoring of the post excavation process.

In many cases the planning authority is happy for the County Archaeologist to address technical matters directly with the applicant's archaeologist, but this may need to be confirmed in individual cases.

3.3.2. The County Archaeologist is also happy to advise on archaeological issues arising from a request to discharge an archaeological condition. In some cases the assistance may extend to providing advice on appropriate means of community engagement.

3.3.3. Archaeological investigations do not necessarily finish when fieldwork is completed. The post-excavation process can be prolonged particularly in the case of complex excavation and an applicant will frequently explore the possibility of discharging the archaeological condition before this process is fully complete.

3.3.4. In most cases it would be inappropriate to endorse the discharge of a condition prior to the completion of field work as surprises can arise whilst still in the field.

3.3.5. Partial discharge of the condition may be recommended in situations where fieldwork is complete but the post-excavation and reporting process has yet to be completed.

3.3.6. In some cases discharge of an archaeological condition might be acceptable prior to the full implementation of the WSI where the applicant has made overt provision for the full implementation of the condition, or where the planning authority is happy that the 'approved' WSI can be enforced even after discharge on the basis that the approval is based on its implementation.

3.3.7. A copy of the reports resulting from the investigations should be deposited with the Historic Environment Record (HER). The information resulting from the investigations is publically available through the HER and is used to inform future planning decisions.