

SUBJECT: Archaeology in Planning, Planning Advice Note

MEETING: Individual Cabinet Member Decision (Enterprise and Land Use Planning)

DATE: 9th October 2019

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

- 1.1 This report seeks the Cabinet Member for Enterprise & Land Use Planning's endorsement of the Draft 'Archaeology in Planning' Planning Advice Note with a view to issuing for consultation. The Advice Note provides guidance on how archaeological matters will be considered via the planning process, and proposes changes to the boundaries to existing Archaeologically Sensitive Areas in Abergavenny, Monmouth and Trellech, and proposes the designation of a new Archaeologically Sensitive Area in Tintern.

2. RECOMMENDATIONS:

- 2.1 To endorse the Draft 'Archaeology in Planning' Planning Advice Note, including the proposed changes to the boundaries to existing Archaeologically Sensitive Areas in Abergavenny, Monmouth and Trellech, and the proposed designation of a new Archaeologically Sensitive Area in Tintern, for consultation.

3. KEY ISSUES:

- 3.1 The Monmouthshire Local Development Plan (2011-2021) was adopted on February 2014 to become the adopted development plan for the County (excluding that part within the Brecon Beacons National Park). This statutory development plan contains a number of policies relating to development in the County's settlements which manage and ensure appropriate development within the County through the planning process. Chapter 4 of Technical Advice Note 24 sets out how archaeology should be considered in the planning process. The conservation of archaeological remains is a material consideration in determining a planning application, this Planning Advice Note sets out how Monmouthshire County Council addresses this duty in exercising its Development Management functions.
- 3.2 Glamorgan Gwent Archaeological Trust (GGAT) provide services to Monmouthshire County Council under a Memorandum of Understanding and so act as the Council's Archaeological Advisor ensuring that the above considerations are properly assessed. Supporting this function GGAT has identified a number of areas within the County that have particular sensitivity in terms of archaeology, referred to as Archaeologically Sensitive Areas.
- 3.3 The need for additional guidance has arisen from experience of managing archaeology during the planning process where potential constraints have been raised late in the process or where there has been an inconsistent approach to protecting and managing underground archaeology when determining applications. Despite these complications being limited to a small number of applications, it is considered good practice to set out clearly how archaeology should be considered through planning to ensure consistency of approach. The

Advice Note aims to set out where particular care and attention should be paid to archaeology in the county identifying the specifically sensitive areas (ASAs) so that this is clear to an applicant or agent much earlier in the process.

- 3.4 Archaeologically Sensitive Areas are a recognised designation, first being brought in by the Ancient Monuments Act 1979, section 33. However, they remain a non- statutory designation. The Planning Advice Note sets out why these specific areas have particular archaeological sensitivity and how the consideration of these areas will be addressed through the planning process. These areas include;

Abergavenny
Caerwent
Chepstow
Grosmont
The Levels, Magor & Undy, Rogiet and Caldicot
Monmouth
Raglan
Skenfrith
Tintern
Trellech
Usk
Whitecastle

Tintern (proposed new ASA)

- 3.5 The above areas (with the exception of Tintern) have been designated as ASA's for some considerable time, they are referenced in the Local Development Plan 2011- 2021 (Adopted February 2014) and the preceding Unitary Development Plan. A recent review by GGAT of the ASA's has made changes to some of the designations. The former ASA's of the Gwent Levels and Rogiet, have been combined with Magor and Undy as well as Caldicot to create one ASA. The review also includes changes to the boundaries in Abergavenny, Monmouth and Trellech as well as the formalisation of the Tintern ASA boundary which was not included in the LDP or previous UDP.

3.6 The Gwent Levels.

The amalgamation of Caldicot, Magor and Undy and Rogiet, simplifies a number of smaller adjacent ASA's into one area that is more easily identified and more cohesive. This results in an administrative change rather than wider planning implications.

3.7 Abergavenny

Abergavenny has seen the largest of the boundary alterations, extending the ASA north to include Bailey Park and properties north of Park Crescent and the streets west of the Ross Road and east of Hereford Road. This extension seeks to cover the areas of suspected Roman, Medieval and Post Medieval activity. Given the nature of finds identified in this area and the known archaeological resource in the main town, it is considered that it is likely that a Roman civilian settlement may have existed in this area. As a result this heightened sensitivity reflects the importance of the high potential for Roman remains. In addition the area north of and including Bailey Park may well have included the wider landscape of the

11th Century Benedictine Priory encompassing medieval and post medieval resources. The area is already densely developed covering two suburbs of the main town and the park. There is an increased potential for applications submitted in these areas to consider the need for additional survey work prior to determination.

3.8 Monmouth

The increased boundary includes Chippenham fields to the east of the town extending over the dual carriageway to encompass the fields west of the river. There have recently been finds from between five to eight thousand BC, Neolithic and Bronze Age remains with later Iron Age evidence. In addition the Area has shown physical evidence of Roman activity. Archaeological excavation, undertaken in advance of and during the development works have shown that archaeological remains survive at a relatively low depth occurring up to 2m below the ground surface. These remains date from the Mesolithic period through to post medieval and so are of particular importance. The area in question is mainly covered by fields and separated by the dual carriageway, therefore there is a low potential impact on development.

3.9 Trellech

This includes a proposed extension to the south of the town to encompass the Scheduled Ancient Monument of the shrunken medieval village and fields to the south of the SAM. Archaeological investigations in relation to development and through academic work has provided evidence of the medieval town extending further south than anticipated. Since the boundary was drawn investigations have provided evidence of features along Catbrook Road and Tinkers Lane. The wet nature of this area also provides a high potential for waterlogged remains related to importance of wells and springs closely associated with the church, settlement and as a pilgrimage site of importance. Whilst the development potential in this area is low, being outside of the development boundary, the remains have the potential to be of schedulable quality and so the area is proposed to be included to raise the awareness of such a sensitive site.

3.10 Tintern

The Tintern ASA extends from the fields south of Tintern Abbey, following the river on the eastern side to St Michaels Church to the north. The boundary then includes the developed area around Trellech Road and the main road, tightly hugging the rear of properties to the west of the main road until the junction at the George Hotel. It then extends up the hillside following the Angiddy River up to Hale End Cottage. To the south west of Tintern Abbey the boundary includes fields to the rear of St Marys Church and The Abbey Hotel.

The area is a mix of housing and open and semi-rural spaces. Being a minor Village, Tintern has some potential for residential development of infill and small scale development. Therefore there is an increased potential for applications submitted in these area to consider the need for additional survey work prior to determination.

Tintern's Abbey, precinct and landholdings together with two churches, industrial wire making remains and the 18th century Picturesque Wye Tour all make a significant contribution to the heritage value of the settlement. The potential for important archaeological remains are high. The remains are therefore focussed around the Abbey, and extending under the A466, Tintern Parva and the Angidy Valley.

Draft Archaeology in Planning, Planning Advice Note

- 3.11 The Draft Archaeology in Planning, Planning Advice Note, is attached to this report as **Appendix 1**. The Advice Note is intended to provide clarity for applicants, officers and Members in the interpretation and consideration of archaeology in the planning process.
- 3.12 The Draft Advice Note sets out detailed matters that need to be taken into account with considering proposals that are likely to have an effect on any archaeological resource, especially those within the identified sensitive Areas. The Planning Advice Note provides guidance as to why these specific areas are considered to be especially sensitive.
- 3.13 Selective use of Advisory Notes is a means of setting out more detailed thematic or site specific guidance in the way in which aspects of the planning process can be applied in particular circumstances or areas. This is not strictly a SPG document as it provides generic advice and does not expand on any specific policy in the Monmouthshire LDP. Archaeology is however considered in a number of policies within the LDP, however, and this Advice Note would carry additional weight in future decision making by going through a local consultation and adoption process. In this instance the document aims to encourage proper engagement and early consideration of archaeology in determining applications aiming to make the process more streamline and effective. The document will also be subject to the same level of consultation as a Supplementary Planning Guidance document appropriate consultation has been undertaken.
- 3.14 As referred to above for the document to be given weight in the consideration of planning applications, appropriate consultation needs to be undertaken and any comments received should be taken into account in the Council's decision making process. Following a resolution to consult, targeted notifications will be sent to those considered to have an interest in the topic such as local agents and architects and those on the LDP database. All town and community councils will also be consulted. The consultation will be publicised via our Twitter account @MCCPlanning and the corporate Monmouthshire Twitter account. All consultation replies will be analysed and responses/amendments reported for Members' consideration when seeking a resolution for the adoption of any SPG document.

4. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

- 4.1 Under the Planning Act (2004) the LDP was required to be subject to a Sustainability Appraisal (SA). The role of the SA was to address the extent to which the emerging planning policies would help to achieve the wider environmental, economic and social objectives of the LDP. The LPA also produced a Strategic Environmental Assessment (SEA) in accordance with the European Strategic Environmental Assessment Directive 2001/42/EC; requiring the 'environmental assessment' of certain plans and programmes prepared by local authorities, including LDP's. All stages of the LDP were subject to a SA/SEA, therefore and the findings of the SA/SEA were used to inform the development of the LDP policies and site allocations in order to ensure that the LDP would be promoting sustainable development. This Planning Advice Note is expanding and providing guidance on these existing LDP policies, which were prepared within a framework promoting sustainable development.

Equality

- 4.2 The LDP was also subjected to an Equality Challenge process and due consideration was given to the issues raised. As with the sustainable development implications considered above, the Planning Advice Note expands on and provides guidance relating to the effective management of archaeology within the planning process, which were prepared within this framework.

5. OPTIONS APPRAISAL

- 5.1 The option in relation to the Draft Planning Advice Note are to:

1. Endorse the Draft Planning Advice Note as attached for consultation
2. Endorse the Draft Planning Advice Note for consultation with amendments
3. Do nothing in relation to the Draft Planning Advice Note

- 5.2 Option 1: endorse the Draft Planning Advice Note as attached for consultation. **This is the preferred option.** The Draft Planning Advice Note sets out the key issues that need to be taken into account when considering planning applications that may have an archaeological resource implication. It is considered that the Planning Advisory Note will provide guidance and clarity to help guide developers, agents and officers in effectively managing archaeology in the planning process.

- 5.3 Option 2: endorse the Draft Planning Advice Note for consultation with amendments. Any comments received in response to the consultation on the Draft Planning Advice Note will be analysed and the document will be amended, as appropriate, prior to reporting back for Members' consideration to seek a resolution to adopt the Planning Advice Note.

- 5.4 Option 3: do nothing in relation to the Draft Planning Advisory Note. The option of doing nothing would not provide clarity and guidance when considering archaeology in the planning process and would be a missed opportunity to engage effectively with users of the service.

Recommendation:

- 5.5 Based on the reasons above, Option 1 (to endorse the Draft Archaeology in Planning, Planning Advisory Note as attached for consultation) is the preferred option.

6. EVALUATION CRITERIA

- 6.1 The purpose of this advice note is to raise awareness of archaeology in sensitive areas at the earliest opportunity. There are no quantitative measures arising from the proposal, for example it is not an objective to increase the number of watching brief conditions imposed. Rather the objective is to improve the customer experience and ensure archaeological resource is safeguarded. Success will therefore be measured via reviewing customer feedback and that from key stakeholders such as GGAT and Monmouth Archaeology, and via colleague feedback.

7. REASONS:

7.1 Under the Planning Act (2004) and associated Regulations, all local planning authorities are required to produce a LDP. The Monmouthshire LDP was adopted on 27th February 2014 and decisions on planning applications are being taken in accordance with policies and proposals in the LDP. This draft sets out how archaeology will be managed through the development management process and provides clarity in relation to the particularly sensitive areas of Monmouthshire.

8. RESOURCE IMPLICATIONS:

8.1 Officer time and costs associated with the preparation of the documents and carrying out the required consultation exercises. Any costs will be met from the Planning Policy and Development Management budget and carried out by existing staff.

9. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):

The are no significant equality impacts identified in the assessment (Appendix C). .

10. CONSULTEES:

- MCC Development Services Manager and team colleagues - responded stating that document provides clearer guidance for agents and sets out the reasons for the identification of particularly sensitive areas.
- Heritage Team – responded providing some comments in terms of the Heritage Designations and their Policy Context.
- Planning Policy Team- responded stating the document cannot be formal Supplementary Planning Guidance due to the lack of a specific archaeology related policy in the LDP. Therefore the document was changed to a Planning Advice Note.
- Cabinet and Senior Leadership Team have been consulted on this proposal.
- Colleagues in MonLife have been informed due to ongoing projects relating to Bailey Park and Chippenham Fields in particular.
- The Planning Advice Note will be presented to Planning Committee for comment during the consultation period.

11. BACKGROUND PAPERS:

See appendix A – Draft ‘Archaeology in Planning’ Planning Advice Note

12. AUTHOR:

Amy Longford, Heritage Manager and Molly Edwards, Heritage Monitoring Officer

13. CONTACT DETAILS:

Tel: 07738187594

E-mail: amylongford@monmouthshire.gov.uk