

<b>SUBJECT:</b>	<b>MONMOUTHSHIRE ADOPTED LOCAL DEVELOPMENT PLAN DRAFT ARCHAEOLOGY IN PLANNING, PLANNING ADVICE NOTE</b>
<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>5 NOVEMBER 2019</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>ALL</b>

**1. PURPOSE:**

- 1.1 The purpose of this report is to seek Planning Committee's scrutiny of the Draft Archaeology in Planning, Planning Advice Note (PAN) and provide any comments or changes accordingly. To consider the proposed extensions to existing Archaeologically Sensitive Areas in Abergavenny, Monmouth and Trellech and consider the designation of a new Archaeologically Sensitive Area in Tintern.

**2. RECOMMENDATIONS:**

- 2.1 That Planning Committee provide feedback on 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.

**3. KEY ISSUES:**

Background

- 3.1 The Monmouthshire Local Development Plan (2011-2021) was adopted in 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 the Counties 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 addressed. Supporting this function GGAT have 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 the planning process 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 (ASA's) 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 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

- 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 proposed 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 proposes changes to the boundaries in Abergavenny, Monmouth and Trellech as well as 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 having 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, the streets west of the Ross Road and east of Hereford Road. The 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 likely that a Roman civilian settlement may have existed in the 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 11<sup>th</sup> 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 which will involve ground works 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 activity. Archaeological excavation, undertaken in advance of and during development works, have shown that archaeological remains survive at a relatively low depth below the ground surface. These remains date from the Mesolithic period (ten to eight thousand BC) through to post Medieval and so are of particular importance. The area in question is mainly covered by fields which are wholly outside the current development boundary (partly a Registered Park and Garden) 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. 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 to support this understanding. The wet nature of this area also provides a high potential for waterlogged remains related to the importance of wells and springs closely associated with the church, settlement and as a pilgrimage site of importance. The development potential in this area is extremely low, being a Scheduled Ancient Monument and outside of the development boundary. Therefore there is a very low impact on development proposals.

### 3.10 Tintern

The Tintern ASA extends from the fields south of Tintern Abbey, following the river on the eastern side to St Michael's 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 Mary's Church and the Abbey Hotel.

Tintern Abbey, its precinct and landholdings together with two churches, industrial wire-making remains and the 18<sup>th</sup> 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 focused around the Abbey, and extending under the A466, Tintern Parva and the Angiddy Valley.

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 the area to consider the need for additional survey work prior to

determination.

- 3.11 Draft Archaeology in Planning, Planning Advice Note  
The Draft Archaeology in Planning, Planning Advice Note is attached to this repost 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 when 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 Supplementary Planning Guidance document as it provides generic advice and does not expand on any specific policy within the Monmouthshire LDP. However archaeology is considered in a number of policies within the LDP. This advice note would carry additional weight in the future decision making by going through a local consultation and adoption process, the same as that for a Supplementary Planning Guidance document. In this instance the document aims to encourage early engagement and consideration of archaeology in determining applications aiming to make the process more streamlined and effective.
- 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. The consultation process will involve targeted notifications sent to those considered to have an interest in the topic such as local agents and architects and those already 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 the Planning Advice Note.

#### **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. The 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 is expanding and providing guidance on these existing LDP policies, which were prepared within this framework.
- 4.3 In addition, a Future Generations Evaluation is attached. This includes Equalities and Sustainability Impact Assessments (attached as **Appendix 2**)

## **5. OPTIONS APPRAISAL**

- 5.1 The options in relation to the Draft SPG are to:
- 1) Scrutinise the Draft Planning Advice Note and provide any comments where applicable.
  - 2) Decline to scrutinise the Draft Planning Advice Note.
- 5.2 Option 1: Scrutinise the Draft Planning Advice Note as attached. **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 developers, agents and officers to more effectively manage archaeology in the planning process. Any comments will be analysed and the document amended as appropriate ensuring that the document is fit for purpose.
- 5.3 Option 2: Decline to scrutinise the Draft Planning Advice Note. This will not provide the clarity and necessary scrutiny to the document which means that it would not be able to adopted as a Planning Advice Note. Without the document there is a missed opportunity to improve engagement and management of archaeology within the planning process.

### **Recommendation**

- 5.4 Based on the reasons above, Option 1 (to scrutinise the Draft Archaeology in Planning, Planning Advice Note as attached) 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 that the 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 27<sup>th</sup> 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 within 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)**

- 9.1 There are no significant equality impacts identified in the Future Generations Assessment.

## **10. CONSULTEES**

- MCC Development Services Manager and team colleagues - responded stating that the document provides clearer guidance for agents and sets out the reasons for the identification and clarity of the particularly sensitive areas.
- Heritage Team – responded providing some comments in terms of Heritage Designations and the Policy Context
- Planning Policy Team - responded stating that the document cannot be formal Supplementary Planning guidance due to the lack of a specific archaeology related policy in the LDP and suggested a Planning Advice Note
- Cabinet and Senior Leadership Team have been consulted on this proposal.
- Economic and Development Select Committee – responded seeking clarity on a number of points and requested that the information from the survey data gathered over time be used to review the boundaries periodically ensuring that they remain appropriate and reasonable.
- Colleagues in Mon Life have been informed due to ongoing projects relating the Bailey Park and Chippenham Fields in particular.

## **11. BACKGROUND PAPERS**

- Appendix 1 – Draft ‘Archaeology in Planning’ Planning Advice Note.
- Appendix 2 – Future Generations Assessment

## **12. AUTHORS:**

Amy Longford - Heritage Manager  
Molly Edwards – Heritage Monitoring Officer.

## **13. CONTACT DETAILS:**

Tel: 01633 644877

[amylongford@monmouthshire.gov.uk](mailto:amylongford@monmouthshire.gov.uk)