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4 May 2018

Dear Mr McQuillan, Mr Madden,

Re: Guidance on Sustainability Appraisal and Strategic Environmental Assessment

Thank you for the opportunity to comment on these proposals. Our evidence is primarily concerned with highlighting professional standards and guidance, and particularly compliance with existing standards. We are of the opinion that, wherever possible, it is more appropriate to utilise existing standards, where possible, than create parallel versions which serve the same purpose. We are also extremely grateful for the slight extension of the deadline for submitting this response.

About the Institute:

The Chartered Institute for Archaeologists (ClfA) is the leading professional body representing archaeologists working in the UK and overseas. ClfA promotes high professional standards and strong ethics in archaeological practice, to maximise the benefits that archaeologists bring to society, and provides a self-regulatory quality assurance framework for the sector and those it serves.

ClfA has over 3,500 members and more than 80 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors.

Our comments follow, below.

1. *General comments:*

- 1.1. We broadly support the content and tone of the document, which follows the model of Historic England's guidance in places. We are pleased that the HED has chosen to expand upon various areas of this guidance, which we think has made a positive addition and thereby sets out an extremely positive vision for heritage and its importance. We applaud the strength of the language used in the general principles. Our comments below set out a few suggestions about where further improvements could be made.
- 1.2. There are a number of typos in the document, some of which have the potential to impair readability or introduce confusion. We have only commented on these where we feel they were particularly damaging to understanding of the intended message, but the document does require some further tidying.
- 1.3. In general, we feel that the document would benefit from clearer description of responsibilities, using imperative language (e.g. 'the local authority will/should...'). The document may also benefit from one or two illustrative examples.

2. General principles:

- 2.1. Bullet point twelve 'Engaging the knowledge and skills of historic environment specialists in developing the SA/SEA.' Would be improved through the addition of reference to 'appropriately qualified' and 'accredited' as follows:

'Engaging the knowledge and skills of appropriately qualified historic environment specialists (e.g. where applicable, via a recognised professional accreditation) in developing the SA/SEA.'

- 2.2. Bullet point two highlights 'implications' of the recognition that heritage assets are irreplaceable. It would seem important to specify what these implications are.
- 2.3. We assume that bullet point four refers to the degree of effect of a plan on heritage assets, but this could be made clearer.
- 2.4. We are extremely pleased to see an integrated landscape approach to assessing historic and natural characteristics adopted in the document. We also applaud the principle to maximise benefit and avoid or minimise adverse effect on the historic environment.

3. Screening:

- 3.1. It may be useful to consider whether paragraph five in this section should include explicit reference to the potential for unknown heritage assets. Although inclusion of information of known heritage assets in adjacent areas implies that this will be considered by HED in

their response, and undesignated and unrecorded archaeological remains are mentioned in the subsequent paragraph, it is also useful for plan-makers to develop this understanding at the point of preparing information for screening. The skills required to undertake this activity will require a professional (and preferably accredited) archaeologist to undertake. We therefore believe it would be useful to include reference to qualified professionals here.

4. Scoping

- 4.1. In section 4.1, we would welcome additional description of the relevance of the specific guidance documents referenced, to provide more information on what responsibilities derive from these regional and local policies and legislation. We would also add 'other adopted documents' under local – in case particular plan-making authorities have additional relevant supplementary planning policy, for example.
- 4.2. It is useful that section 4.3 states that the analysis of baseline information can help to identify sustainability issues, but it may be useful if the document stated more clearly what HED's expectations would be in certain cases, or examples given.
- 4.3. This section should consider how best to reflect existing guidance from the historic environment sector (for example, ClfA's standard and guidelines for Desk Based Assessment (DBA)). As while we recognise that where there is good baseline information additional work may not be required, where there is not good baseline information, some guidance on how to achieve it would be valuable. It may be that proportional evidence requirements for plan-making will need to be made clear when interpreting other existing guidance on evidence gathering (such as ClfA's guidance on DBA), but nonetheless would be a useful reference point.
- 4.4. There could also be a reference to currently unidentified assets and impacts on buried archaeology in the list of bullet points under 4.3.
- 4.5. Additionally, the final bullet point on 'coastal erosion' could be extended to cover other climate change impacts (e.g. flooding, or the drying of peat-beds) which each have the potential to impact the historic environment.
- 4.6. We welcome the reference to appropriate heritage expertise in section 4.4, but would additionally insert a reference to professional accreditation (for example, ClfA, IAI, IHBC), as professional accreditation is an effective way of ensuring the 'appropriateness' of expertise, by providing assurances by the assessment of individual competence and by providing professional grievance procedures.

4.7. In section 4.4 it would be possible to expand the range of social objectives to include health, well-being, and community benefits, and the range of economic objectives to include promoting viable and innovative re-use of buildings.

4.8. It may also be useful to point out that (at least) some of these listed objectives can overlap multiple areas of benefit, for example, ‘maintaining and strengthening local distinctiveness and sense of place’ may be a social and economic, as well as an environmental objective. An additional sentence to communicate this would be beneficial.

5. *Developing plan options, refining alternatives and assessing likely effects*

5.1. Under 5.1, we recommend adopting the language of significance in bullet point one, i.e.:
“Loss of, or damage to the significance of any heritage asset and/or its setting.”

5.2. Under bullet point two in the same section, we recommend adding “and/or its setting”.

5.3. There appears to be some confusion with bullet points under section 5.2. The second bullet point should be joined to the first.

5.4. We also perceive some confusion in paragraph two of this section, where the staged process of (a) avoidance of or minimisation of harm at plan-making stage and (b) where harm cannot be avoided, mitigation at planning application stage, is entirely clear. The bullet point list of example mitigation methods here includes actions to be taken at the plan-making stage, which creates a confusion when read alongside the previous sentence which reads ‘*Mitigation measures for the implementation stage of a planning application are the most appropriate method of dealing with situations where damage cannot be avoided.*’

5.5. We disagree that compensation measures (offsetting) ‘are unlikely to be appropriate, as heritage assets cannot be re-created’. As, while we would not want to adopt a compensatory model for harm to heritage assets as a norm, in cases where harm is unavoidable, an offsetting investment in creating heritage benefits elsewhere on a site or in a local community may be an appropriate and innovative way to ensure public benefit. An appropriately caveated and nuanced sentence should be able to leave open the possibility for innovative public benefit, without appearing to give developers the option to simply ‘pay’ their way out of requirements to not damage heritage assets.

5.6. Use of vague phraseology such as ‘use of appropriate policy and legislation’ is unhelpful and should be avoided, wherever possible. It should be replaced with specifics, for

example, referring to Article 4 directions made under the Planning (General Permitted Development) Order (Northern Ireland) 2015 to remove permitted development rights.

6. *Preparing, publishing and consulting on the report*

6.1. The first bullet point in the second list should be amended to add ‘and any other assessment undertaken.’ See our comment 4.3, above, regarding where a suitable baseline of information does not already exist.

6.2. The final paragraph of the section appears to refer to English structures of “the local Historic Environment Record” and “National Record for the Historic Environment” rather than to the Northern Ireland Sites and Monuments Record (NISMR).

If you have any further questions or comments, please do not hesitate to contact me.

Yours sincerely,



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