

Planning and archaeology: how and why the system works

Evidence from the Archaeology and Planning Case Studies Project



The Westgate Site from the air. © Oxford Archaeology

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How the planning system takes account of archaeology

For over 30 years the impact of development on most archaeological sites and structures in England has been managed through the planning system. This has meant that

- the impact of proposed development is assessed prior to planning permission being granted
- tailored programmes of archaeological investigation are agreed where needed

Sometimes planning permission is refused because a development would have unacceptable impact on a nationally important site, but normally **development goes ahead in a modified form** and/or **includes archaeological investigation**. This enables planners to make informed decisions about managing cultural heritage assets sustainably – making development **less damaging and identifying opportunities** for **wider heritage benefits**.



Sheffield Castle excavations. © Wessex Archaeology

The Archaeology and Planning Case Studies Project

This project collected examples of how the system works in practice: what happens when key policies are implemented effectively and what happens when they aren't.

This document presents the key messages from the 117 case studies collected.

These case studies illustrate four key aspects of the planning system:

- pre-determination assessment and evaluation to assess the significance of heritage assets and the potential impact of development
- planning conditions to secure programmes of archaeological investigation before or during development (often referred to as pre-commencement conditions)
- the importance of local planning authorities (LPAs) signing off planning conditions only when a programme of archaeological investigation is complete
- the importance of access to specialist archaeological advice by LPAs

The case studies illustrate why each of these aspects is important in securing good outcomes. It is ClfA's view that they also make it clear why any future changes to the planning system need to include equivalent provisions.

The collection of case studies was funded by Historic England and supported by partner organisations ALGAO, CBA and FAME. ClfA and the authors are grateful to the many organisations and individuals that supplied case histories and other information.

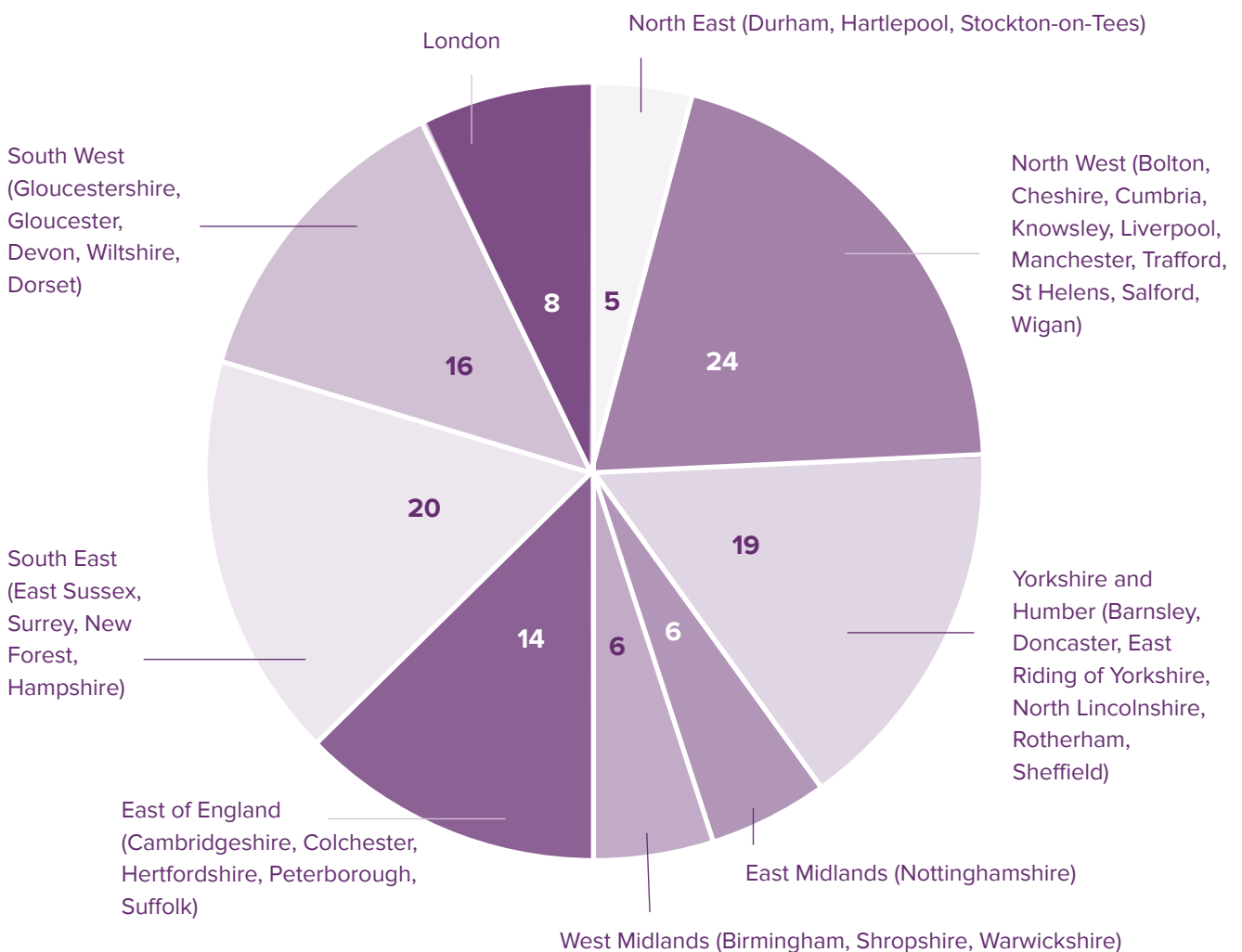
[Click here](#)
*to read more
about the project
and search the case
study database.*

The planning process: assessing impact, designing the project, delivering public benefit

The historic environment of cities, towns, villages and the rural landscape is the evidence of our shared past. It takes the form of buried remains of structures and other archaeological material, historic buildings, landscape features and artefacts. Much of this evidence is beneath the ground surface or hidden in structures, and vulnerable to destruction from development and other land use change.

Only a small proportion of known archaeological sites are protected from inappropriate development through designation as scheduled monuments. The rest – over 95 per cent – are protected and managed through national and local planning policies.

Planning policy provides a staged process of decision-making that identifies how best to conserve the historic environment and to ensure the sustainability and viability of proposed development.



Number of case studies collected from each English region



Staged process of decision making

Pre-determination assessment and evaluation

Pre-determination assessment and evaluation

- identifies heritage assets on the site of a proposed development and ascribes cultural significance to those assets, applying a scaled measure of importance to them
- evaluates the consequences of proposed change to those heritage assets and weighs the effects (positive and negative)
- enables an informed decision on a planning application
- enables developers to design schemes that have positive outcomes for both development and heritage
- informs developers of the potential cost and programme implications of any archaeological investigations

Pre-determination assessment and evaluation often takes the form of desk-based data collection, geophysical and other surveys, evaluation pits and trenches.

Forty-three case studies demonstrated the effective use of pre-determination assessment and evaluation for development sites:

- in **every case**, previously unknown heritage assets were discovered
- in **half of the cases**, no heritage assets had been known to be present before evaluation
- in **eight cases**, assets of national importance were identified and **four** were designated (scheduled or listed)

None of these developments was refused planning permission on archaeological grounds, because the knowledge gained from evaluation enabled

- redesign of the development to preserve the heritage assets by reducing the extent of development, or (as is common in urban areas) redesigning foundations to minimise impact (**13 cases**), and/or
- the use of a pre-commencement archaeological planning condition to secure archaeological investigation and recording of heritage assets (**37 cases**)



On site at Datchet. © Wessex Archaeology

■ Case study 12: Thame, Oxfordshire

Little was known about this proposed development site before a desk-based assessment and a field evaluation identified a significant multi-period landscape, with structures and features ranging from the early Neolithic (c. 3800 BC) through the early Iron Age (700–400 BC) and Roman period (AD 43–410) to the early–middle Saxon period (410–850 AD).



Excavating one of the Iron Age pits containing a human burial. © OCA

■ Case study 50: Gloucester castle

The site of Gloucester's 12th-century castle was used in the 18th century for the construction of a prison that remained in use – with significant additional development – until 2014, when it became redundant and was sold for redevelopment. Assessment was undertaken to inform a planning application and included a desk-based study, a geo-archaeological borehole survey, a watching brief during geotechnical site investigation, and evaluation trenches.

Remains of the 12th-century keep were discovered just below the ground surface, together with parts of the inner bailey walls and castle ditches. Roman deposits were present at depth. The results of the evaluation enabled the design of a redevelopment scheme that will preserve the castle keep, minimise the impact of development on other structures, and enable both recording of the deposits affected and display and interpretation of the remains of the castle.



*The medieval keep walls are overlain by the brick foundations of the prison.
© Cotswold Archaeology*

What happens if a development site with archaeological interest is not evaluated before a decision on development is made?

■ Planning permission may be refused

Three cases illustrate the refusal of planning permission in the absence of the results of pre-determination evaluation; without sufficient information about the significance of heritage assets present, the LPA was unable to assess impact.

■ Additional cost, delays and risk of harm

Without evaluation there is a strong chance of unexpected discoveries after design, programme and budget have been fixed. The public may gain little from the discoveries and the developer may encounter substantial extra costs and delays. **Twenty-two** case studies illustrate such problems, and in **four** of these cases the discoveries affected the viability of the development.

■ Positive contribution reduced

Discovering heritage assets late in the development project limits the opportunities for protection, investigation, public engagement and, therefore, public benefit.



Early engagement with the archaeological implications of a development benefits both the historic environment and the development project.

The following cases illustrate the importance of evaluation: identifying such significant heritage assets only after development had begun could have resulted in the destruction of nationally important information about our past as well as problems with the viability of the developments.

■ Case study 31: Messingham quarry, North Lincolnshire

Pre-determination evaluation comprising fieldwalking, geophysics and extensive trial trenching identified the presence of several early metal working sites. A pre-commencement archaeological planning condition was used to facilitate excavation that identified Iron Age metalworking, including



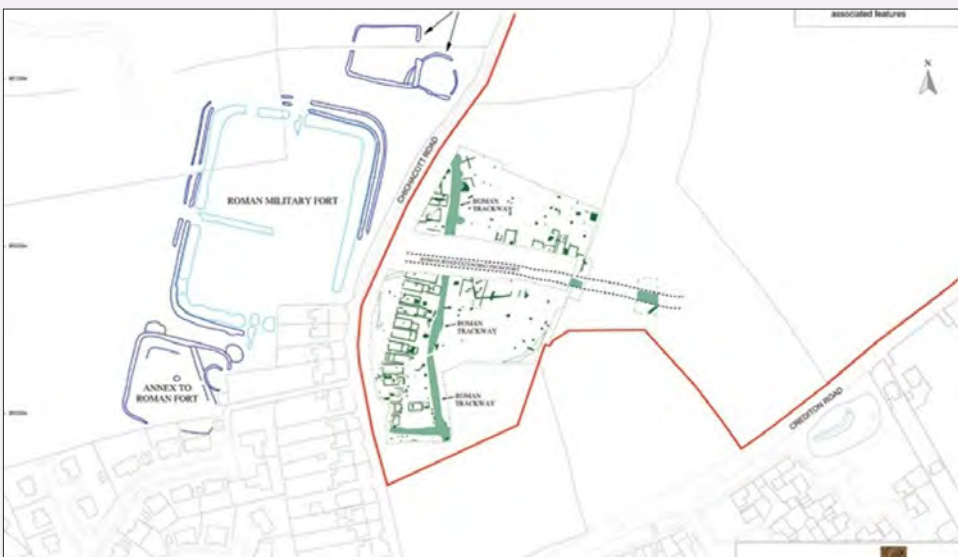
the remains of a furnace that was radiocarbon dated to 776–590 BC, making this the earliest dated smelting furnace in the country and therefore of national importance.

Messingham furnace – excavating the remains of the earliest iron furnace so far discovered in England at Messingham Quarry, near Scunthorpe..

© Oxford Archaeology East

■ Case study 64: Crediton Road, Okehampton, Devon

On land adjacent to Okehampton Roman fort, a desk-based assessment, geophysical survey, and evaluation trenching identified a range of archaeological deposits including one of the roads leading to the fort. An archaeological condition was attached to the planning permission and excavation in advance of development identified at least 25 timber buildings lining both sides of a well-preserved Roman road, leading eastwards from the fort.



The plan shows a line of timber buildings alongside the Roman road on the right and the earthworks of the fort to the left. © AC Archaeology'

What happens after evaluation?



- Evaluation enables planners to understand the significance of heritage assets present on the development site



- The extent or type of development may need to be modified



- Often heritage assets will then be investigated before or during development

In the vast majority of cases, the proposed development then receives planning permission.

Six case studies provided evidence of the problems that can arise if pre-commencement planning conditions are not used or if they are not complied with.

[Click here](#) for more useful statistics from ALGAO's Archaeology in Development Management.



■ Case study 5: Bexhill – Hastings Link Road

A desk-based assessment identified high palaeo-environmental potential. Evaluation along the route of the proposed link road included geophysics and fieldwalking as well as an electrical conductivity survey, boreholes and hand-dug test pits to explore areas of alluvium. Evidence of national importance included over 100 flint scatters of Late Upper Palaeolithic, Mesolithic and Neolithic date. In addition, the excavation of a Roman bloomery revealed furnaces, two of which appear to be unique within the Weald and possibly in Britain. A pre-commencement archaeological planning condition was used to facilitate the investigation.



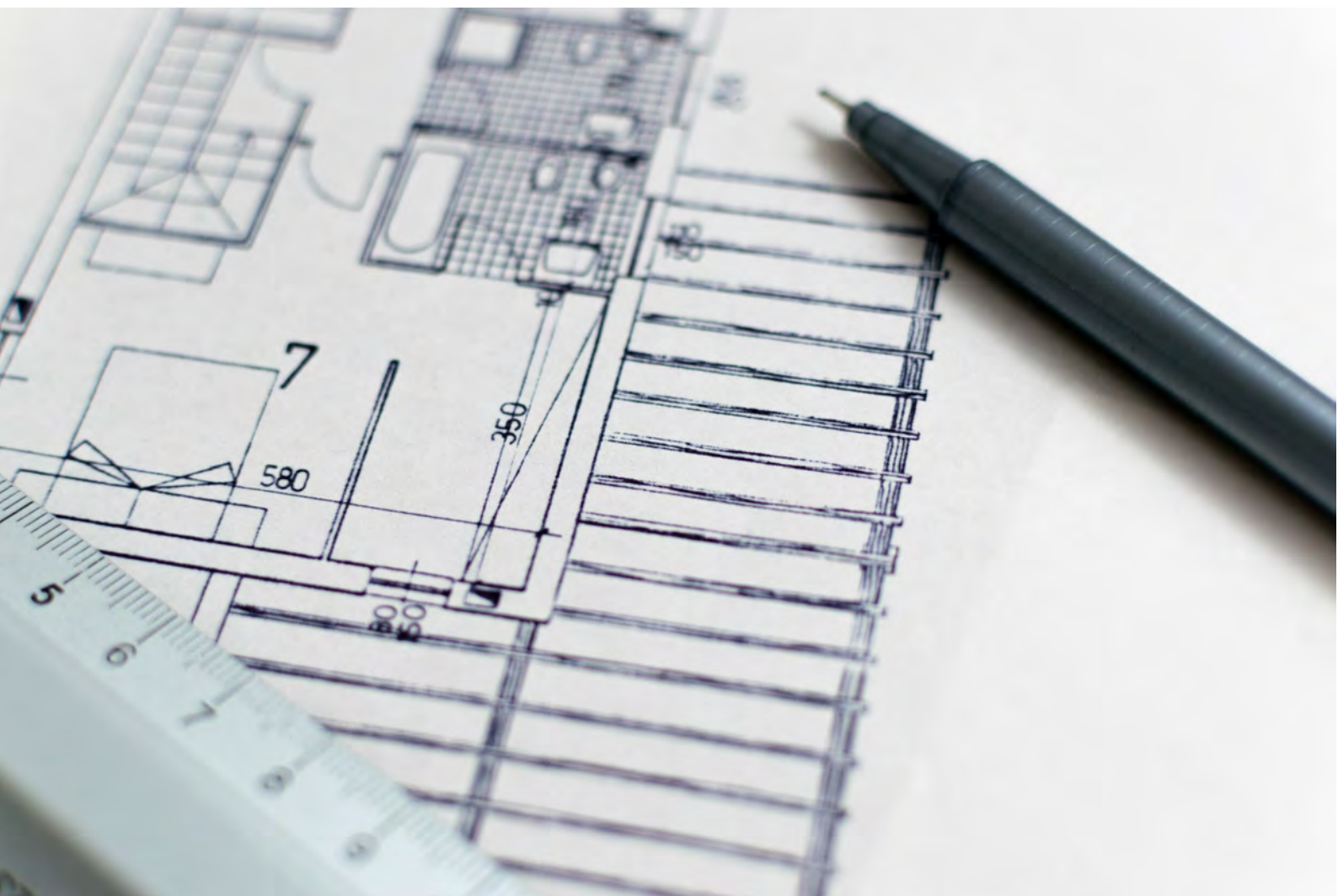
Excavations in progress on the Bexhill to Hastings Link Road. © Oxford Archaeology

How do planning conditions work?

Archaeological planning conditions are used to enable a programme of archaeological investigation to be specified and agreed *before development commences*. The conditions manage the impact of development on heritage assets. This means both the development and the public benefit from archaeological investigation.

Written Schemes of Investigation (WSIs) are project design documents that underpin the planning condition and archaeological contract. They set out how the work is conducted, including the research aims of the archaeological investigation, and include methods and scope of excavation, post-investigation analysis, engagement, reporting through publication and other media, and deposition of the project archive in an appropriate museum.

Once the work has been completed, LPAs 'discharge' or sign off the planning condition. Where problems arise, they can take enforcement action. Planners should not discharge conditions until the programme of archaeological investigation is complete, otherwise public benefit may not be delivered.



The importance of local authority specialist advisers

Nine cases were identified in which specialist advice was either not available to the LPA or was not sought, with consequent problems such as

- failure to specify appropriate pre-determination assessment and/or evaluation
- insufficient information to make a sound decision on a planning application
- development proceeding in the absence of relevant information, with risk to the historic environment and to the viability of the development
- inadequate specification of investigation and of post-site work

Specialist archaeological advisers help planners to manage development using

- information in the local Historic Environment Record and elsewhere
- expert interpretation of the results of evaluation and analysis of other relevant information

They will then advise the LPA whether modifications would be required on archaeological grounds before planning permission could be granted.

This advice, given in line with the National Planning Policy Framework (NPPF) policies, will be weighed with other factors before a decision is made by the LPA.

*The case studies demonstrate that **local authority advisers play a crucial role** and that difficulties can arise when specialist advice is absent or not used.*

*Other **expert professional archaeologists provide consultancy advice to developers** and undertake archaeological investigation before or during development.*

*The case studies show that projects are most successful (in terms of public benefit through new knowledge, public engagement, and the achievement of sustainable development) where **both** are in place.*

■ Case study 104: Ashbury's Rail Carriage and Iron Foundry

The development of the 19th century Ashbury's Rail Carriage and Iron Works in East Manchester by Network Rail required a site evaluation followed by excavation, with an outreach programme. The outreach included an academic article, a popular publication, and the requirement to engage with volunteers from the Manchester Region Industrial Archaeology Society who took part in the excavation run by SLR Consulting. These volunteers lent considerable expertise on identifying the function of industrial features. The resulting popular booklet won the national industrial archaeology publication award.



[Click here](#)
to explore the
database of all 117
case studies.

Members of Manchester Regional Industrial Archaeology Society help SLR Consulting excavate the mid-19th century Ashbury's Rail Carriage and Iron Foundry site. © SLR Consulting

Good outcomes for communities, the historic environment and the developer

Effective use of planning policies allows development to proceed, to extend our knowledge about all periods of human history and to engage local communities, who often benefit from opportunities to take part in archaeological projects.

The quantity, range and significance of new discoveries are striking. As well as guiding development, the results of widespread evaluation and investigation have radically changed understanding of the extent and range of heritage assets in our landscape.

In the first 20 years after the introduction of national archaeological planning policies (1990–2010) over 90 per cent of all archaeological investigations were carried out within the planning process. This has produced a staggering amount of information, which continues to provide new narratives about the past.



[Click here](#) for additional resources from ClfA, including a *Delivering Public Benefit professional practice paper*.

Enviro Games.
© Wessex Archaeology

Example public benefits:

Knowledge gain



Research synthesis



Enhanced significance

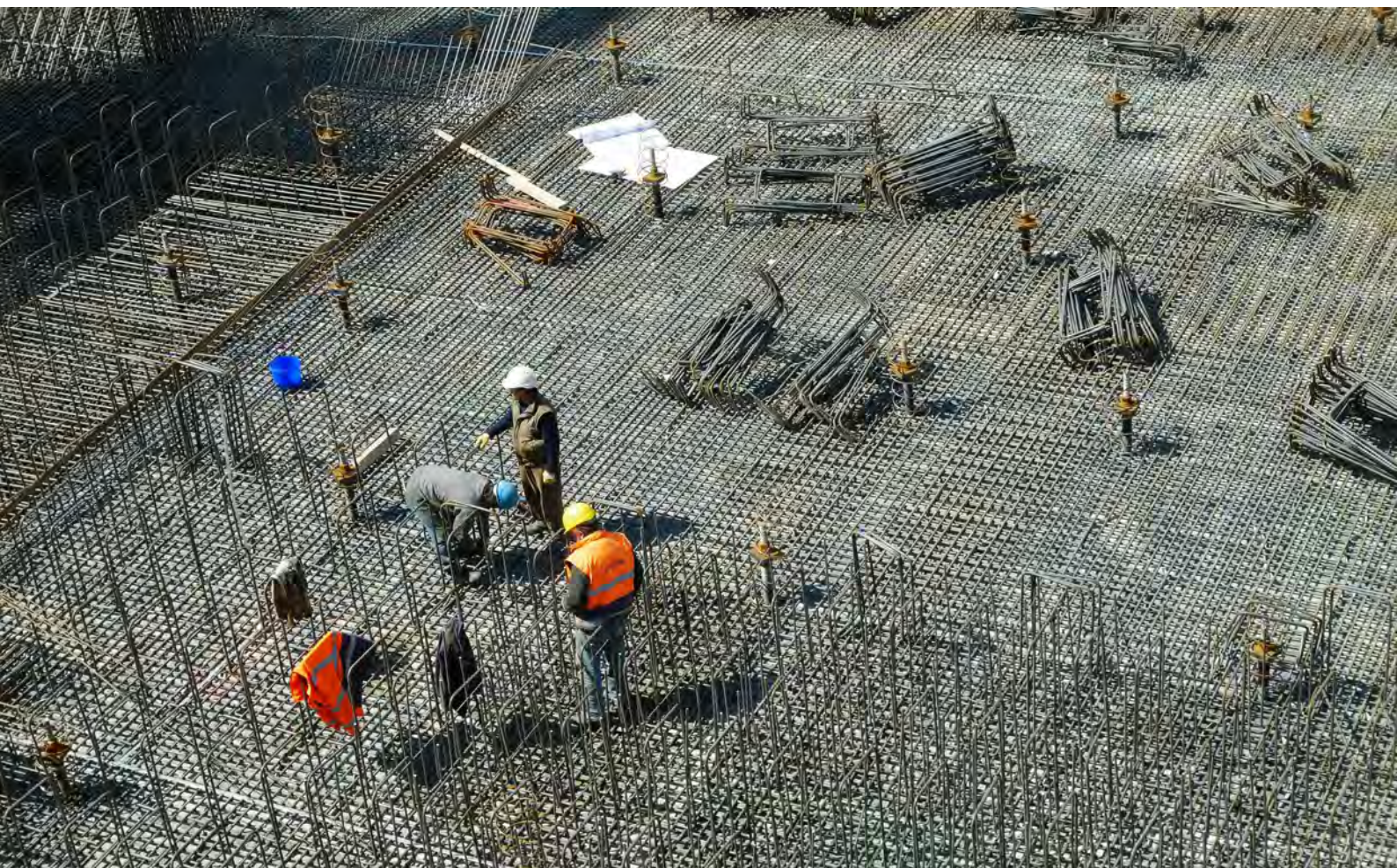


Public engagement



Where problems can arise: poor practice highlighted by the case studies project

- LPAs fail to seek or follow advice from specialist archaeological advisers
- desk-based assessments that are inadequate in scope
- absence of evidence is not evidence of absence: there are often no recorded heritage assets on the development site, but they're waiting to be found.
- inadequate pre-determination assessment and evaluation do not clearly identify either the significance of the heritage assets present or the impact of the proposed development
- there is no evaluation, or it happens after planning permission is given, so unexpected discoveries cannot be fully investigated, and developers are presented with delays, additional costs and damaged reputations
- pre-commencement planning conditions are missing or badly worded
- planning conditions are discharged before the archaeological work is complete, and the results are therefore not available to researchers and to the community



Conclusions of the Archaeology and Planning Case Studies project



The planning system can be an effective way to create opportunities to deliver good, innovative development that makes the most out of heritage assets and creates opportunities to enhance significance.

However, to ensure this, it is ClfA's view that

- high quality professional archaeological advice to LPAs is essential
- early assessment and evaluation to a specification agreed with the LPA's specialist adviser is needed to identify heritage assets, their significance, and the impact of the proposed development in advance of a planning application being determined
- appropriate planning conditions are required to enable programmes of work to be specified and agreed
- planning conditions must not be discharged prematurely. Early sign-off may result in incomplete projects, typically with analysis, publication and dissemination outstanding: public benefit is lost and earlier investment is wasted
- future changes to the planning system must retain the key provisions of current policy that enable the impact of development on heritage assets to be assessed and evaluated, and important heritage assets to be investigated and recorded, thus delivering new knowledge and enhanced understanding of our historic environment

The future: the planning system is changing



It is ClfA's view that the evidence in this document highlights key aspects of the current planning system that should be retained in future. The case studies clearly demonstrate the importance of

- taking specialist archaeological advice early in the development process
- having adequate information from assessment and evaluation to guide decision-making
- having mechanisms to require archaeological investigation and ensure its completion (such as the use and, where necessary, enforcement of planning conditions)

Many recent changes to the system (eg extending the range of development that does not require traditional planning permission) limit or prevent both assessment/evaluation and subsequent investigation and recording of heritage assets. These changes reduce the public benefit contribution that archaeology and heritage assets can make to developments, and increase the likelihood that valuable information about our past will be lost.

How to use this document to influence policy reform and support archaeology:

- a useful resource for professional archaeologists to cite in their communication with clients, colleagues, or stakeholders
- use it to inform a letter to your MP, your local councillors, local authority leaders, and developers. You can also use the case study database to find cases in your area
- refer to it if responding to local authority budget negotiations, or responding to planning reform consultations.
- share it with people who may benefit from gaining an understanding about how archaeology works: give your MP a copy or share the document with colleagues, friends, or society/community groups.

Visit the ClfA website for more resources on advocacy and information about current campaigns

Visit the Historic England website for more advice on the planning system and the suite of Good Planning Advice note and Historic Environment Advice Note guidance.



*Historic England will be publishing advice on Archaeology and Planning in 2022 which you will be able to access by **clicking here.***

