

# Managing Archaeology in Development

## Colchester Local Development Framework Supplementary Planning Document Adopted 2015

### Introduction

Colchester is one England's major historic centres with a rich archaeological and historical heritage that shapes the character of the modern town and its hinterland. Colchester's Heritage is a source of pride and community identity to residents, making the area an attractive place in which to live, work and visit.

Heritage is recognised as a key priority in [Colchester Borough's Strategic Plan 2015-2018](#). Through its strategic aims, the Council is committed to conserving and enhancing its heritage assets, to promote interest in, and enjoyment of, Colchester Borough's history and to improve the quality of life for people who live, work in and who visit the area.

Colchester's Heritage Strategy defines the following themes:

- Promote best practice in terms of conservation and stewardship of Colchester's heritage assets, supported by key stakeholders and national and local government policy and guidance.
- Promote positive initiatives that secure the conservation, beneficial management and enhancement of Colchester's heritage assets and maximise the contribution of heritage to sustainable development.
- Promote high quality design in new development that respects and enhances heritage assets, local distinctiveness and the character of Colchester Borough's townscape and rural landscape.
- Promote Colchester Borough's rich heritage at local, regional and international levels, showing the Borough as a good place to visit, live, work and invest in.
- Identify opportunities to support the Council's ambitious regeneration agenda through positive intervention initiatives within the historic environment.
- Identify opportunities presented by new development to promote greater understanding about local heritage within local communities.
- Identify opportunities for residents and visitors to participate in heritage initiatives, maximising its contribution to health, wellbeing and learning.
- Identify opportunities to display new heritage discoveries in a range of appropriate community settings.
- Maintain, enhance and promote the Historic Environment Record, which is a key resource and the evidence base for all heritage assets, for the whole Borough.

- Promote the long-term curation of important archaeological archives and collections and make them available for display and study.
- Promote an integrated approach between different services, organisations, and sectors, to increase the impact and audience of Colchester's heritage assets.

This Archaeology and Development Strategy develops the key themes defined in the Heritage Strategy relating to development in Colchester Borough. It outlines the approach Colchester Borough Council will take in determining planning applications that affect its archaeological heritage and the historic environment, supported by national and local government planning policy. It is a robust strategy for managing and celebrating the remains of its historic past for the benefit of today's community and for future generations.

Decisions relating to new development will be carefully assessed to ensure that Colchester's archaeological remains are conserved and enhanced, and also to ensure that they are not a barrier to sustainable development. The historic environment can accommodate a variety of economic uses, facilitate growth and employment, as well as making Colchester a more attractive place to live, work and visit.

### **Status of this document**

The archaeological implications of development proposals in Colchester are assessed in accordance with the [National Planning Policy Framework](#) and Policy DP14 of the [Current Local Plan 2001-2021](#). This document supplements and adds an additional level of detail to this planning policy. It is an important material consideration for Development Management when assessing development proposals or applications within Colchester Borough.

This document will assist also developers, property owners, their agents and advisors by setting out and explaining the procedures with the Borough Council expects to be followed:

- It gives guidance to applicants on the likely archaeological works that will be expected.
- It promotes the historic environment as a positive contributor to economic development in the Borough.
- It promotes interest in, and enjoyment of, Colchester Borough's rich archaeological heritage, to improve the quality of life for people who live, work in and who visit the area.

### **Colchester's Historic Environment: the Evidence Base**

The historic environment is a major component of the fabric of the town and also of rural settlement in the Borough, closely related to the natural environment and in particular to the pattern of river valleys - Rivers Stour and Colne, and their tributaries, which bisect the Borough (north-) west to (south-) east. In general, river valleys are topographically favourable for early occupation of all periods and, consequently, these have been densely settled from the Neolithic onwards.

## **Town**

Colchester has an unusually rich and varied historic environment that has determined the shape and form of the modern town centre. During the Late Iron Age and Roman periods, in particular, Colchester was one of the major settlements in southern England. It re-emerged as one of the major regional towns in the medieval and post-medieval periods with the growth of the cloth industry. Colchester's position in the region was consolidated with the growth of the engineering industry and with the establishment of the garrison.

The late Iron Age territorial settlement of Camulodunum, and the later Roman (and medieval) walled town, was located in a classic location for early occupation, delimited by the River Colne to the north and by the Roman River to the south, and enclosed by an extensive earthwork system to the west. It was close to the North Sea, facilitating international communication, trade and exchange as well as benefiting from the resources of a valley location (fertile soils and marine resources).

The extent and visibility of late prehistoric and Roman remains in and around the town, in particular, stands Colchester apart in the region. Some heritage assets, however, are less tangible than others. While it is easy to be drawn to the standing monuments, less visible, though equally important, are the largely buried archaeological remains.

Within Colchester's historic town centre, there are deep and often well-preserved stratified archaeological deposits, spanning 2000 years. These survive below buildings as well as in open areas within the walled town. Such archaeological deposits are exceptionally rare.

## **Borough**

Colchester is one of the most studied towns in the country. Many archaeological investigations have been undertaken in Colchester since the mid 19<sup>th</sup> century and the town has been the subject of antiquarian interest since, at least, the late 16<sup>th</sup> century. Across the Borough as a whole, however, only limited archaeological investigations have taken place and consequently less is known about the archaeological resource. This is primarily because the majority of new development has taken place in and around the modern town. In addition, intensive agricultural regimes since the medieval period, if not earlier, have levelled most archaeological remains and there are few well-preserved and visible archaeological remains outside of the town.

Intensive archaeological investigation has been undertaken in several locations outside of the town in advance of aggregate extraction, to the north and west of Colchester. Large-scale archaeological investigations have taken place over a period of years at Birch Pit, Stanway Pit and Abbotstone Field, to the south-west of the town, in advance of sand and gravel extraction.

Investigations at Birch Pit have defined the remains of an extensive Roman (and possibly earlier) enclosed landscape, with settlement, trackways and enclosed fields. At Stanway, excavations have defined a group of high status Iron Age burials in enclosures amongst other discoveries. Abbotstone Field, to the west of Stanway pit, revealed a Late Iron Age and Roman enclosed farmstead and Medieval field system.

It can be anticipated that a similar density of archaeological remains will be encountered elsewhere in the Borough, particularly within valley locations.

Over the last 15 years, the redevelopment of Colchester Garrison has afforded the archaeological investigation of a large area to the south, and within the immediate hinterland, of the Roman and Medieval walled town. The investigations show a system of ditched droveways and enclosures, and a scatter of small farmsteads which originated in the Late Iron Age and survived throughout the Roman period. Excavations on the site of the Garrison also led to the discovery of the Roman Circus, as well as hundreds of Roman burials.

Although the rest of the Borough has not been the subject of any intensive or systematic archaeological investigation, there are still many recorded archaeological sites, find spots and artefact scatters within the Borough from all periods of history. These indicate there is a rich archaeological resource across the Borough. The 'traditional' agriculture landscape of fields and farms emerged from the late Bronze Age (c.1000 – 700 BC) onwards. Although the origins of the existing field boundaries are unknown some could have medieval or earlier origins.

## Designated Heritage Assets

Designated heritage assets are nationally important sites which enjoy statutory protection. Colchester Borough contains over 1,700 Designated Heritage Assets. They comprise of listed buildings, scheduled monuments, registered parks and gardens, battlefields and protected wreck sites. Historic England administers the national designation regimes and maintains the list of designated heritage assets, the [National Heritage List for England](#) (NHLE). The extent and area of the designated heritage assets in Colchester can be found on the [Colchester's Interactive Map](#) page.

Designated heritage assets are protected under a number of Acts of Parliament, principally the [Ancient Monuments and Archaeological Areas Act 1979](#) for Scheduled Monuments and the [Planning Act \(Listed Buildings and Conservation Areas\) 1990](#) for Listed Buildings.

## Scheduled Monuments

There are 45 Scheduled Monuments within the Borough, of which 20 are located in Colchester town. They include Gosbecks Archaeological Park, the Roman Circus, the Town Walls and the remains of St John's Abbey and St. Botolph's Priory. In terms of the walled town (48 ha. in area), nearly 20% of the area (8.65 ha.) is Scheduled.

All works to a Scheduled Monument require Scheduled Monument Consent, administered by [Historic England](#) on behalf of the Secretary of State – a procedure that is entirely separate from the planning process. Unauthorised work to a Scheduled Monument is a criminal offence under the 1979 Act. Alterations to the visual character of a monument are also a material consideration in the planning process.

There are also a small number of non-designated heritage assets within the Borough that are considered to be of schedulable quality. The reason some nationally important monuments are not scheduled is set out in the document [Scheduled](#)

[Monuments](#), published by the Department for Culture, Media and Sport. Where they are shown to survive, the deep stratified archaeological deposits preserved within the entire area of the walled town are considered to be of equivalent significance to scheduled monuments and they will be considered subject to the policies for designated heritage assets (in accordance with the NPPF paragraph 139).

## **Listed Buildings**

There are over 1,500 listed buildings in Colchester Borough, over 400 are located within the town alone and of these 41 are at the highest listing as Grade I. This includes the Castle Keep and St John's Abbey Gatehouse in Colchester. Although most structures on the List are buildings, other structures such as bridges, monuments, sculptures and war memorials are also listed. Some designated heritage assets are both scheduled and listed.

Applications for Listed Building consent are administered by Colchester Borough Council, although applications for works to Grade I and II\* buildings are automatically referred to Historic England.

## **Heritage Management Plans**

There are conservation management plans for some of the designated heritage assets owned and/or managed by the Borough Council. A conservation management plan sets out the significance of a heritage asset, and how that significance will be retained in any future use, management, alteration or repair.

## **Conservation Areas**

There are 23 [Conservation Areas in Colchester Borough](#), generally the centres of historic towns and villages, designated for their special architectural and historic interest; a list of conservation areas is available from the Council. Conservation areas are designated because of their special architectural or historic interest. The character or appearance of a conservation area is recognised as being worthy of preservation or enhancement. New developments within a conservation area are subject to special planning requirements that ensure the special qualities of that area are preserved.

Conservation area appraisals are used to help the Council develop management plans and appropriate policies for the Local Plan.

The enhancement of historic buildings is usually linked to improvements in physical environments in historic town and village centres. In turn such improvements can help to enhance business confidence in an area, attract inward investment and stimulate further economic growth. Development of the historic environment can, therefore, be a positive catalyst to growth.

Essex County Council maintains a [Local Heritage at Risk Register](#) for the County.

## The National Planning Framework

The Historic Environment is a finite and non-renewable resource. Heritage assets are fragile and can be irreparably damaged by inappropriate works.

Careful management is required to ensure that the historic environment is considered in accordance with the principles of sustainable development that are set out in the [National Planning Policy Framework](#) (NPPF).

Policies concerning the historic environment are outlined in Section 12 of the NPPF. The NPPF states, '*Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance*'.

The NPPF outlines the importance of good design in development proposals (Section 7). Paragraph 58 of the NPPF states:

*'Planning policies and decisions should aim to ensure that developments:*

- *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation*'.

The Government's [Planning Practice Guidance Conserving and enhancing the historic environment](#) expands upon the core policy principles of the NPPF and this is itself underpinned by [Good Practice Advice on planning and the historic environment](#).

### Local Plan Policy

The [Current Local Plan 2001-2021](#) sets out the strategic policies to deliver conservation and enjoyment of the historic environment. It provides the strategy for the growth of the Borough, indicating what development will take place and where. Policies are not designed to prevent change rather to ensure that change is managed in the interests of today's residents and those of future generations.

The Local Plan takes into account:

- The desirability of putting heritage assets to viable use, sustaining and enhancing their significance;
- The contribution that the historic environment makes to wider sustainability aims;
- The desirability of new development to contribute to local character;
- The opportunities to draw on the contribution that the historic environment makes on the character of place.

The [Current Local Plan 2001-2021](#) consists of:

- A. Core Strategy: (adopted 2008).
- B. Site allocations and proposals: (adopted 2010).
- C. Development Control Policies: (adopted 2010).

Historic Environment Policy DP14 relates specifically to heritage assets in the planning process at a local strategic level:

***Policy DP14: Historic Environment Assets***

*Development will not be permitted that will adversely affect a listed building, a conservation area, historic park or garden or important archaeological remains. Development affecting the historic environment should seek to preserve or enhance the heritage asset and any features of specific historic, archaeological, architectural or artistic interest. In all cases there will be an expectation that any new development will enhance the historic environment in the first instance, unless there are no identifiable opportunities available. In instances where existing features have a negative impact on the historic environment, as identified through character appraisals, the Local Planning Authority will request the removal of the features that undermine the historic environment as part of any proposed development. Support will be given to the provision of creative and accessible interpretations of heritage assets.*

*Conservation of the historic environment will also be ensured by:*

- (i) Identifying, characterising, protecting and enhancing Conservation Areas;*
- (ii) Protection and enhancement of existing buildings and built areas which do not have Listed Building or Conservation Area status but have a particular local importance or character which it is desirable to keep. Such buildings or groups of buildings will be identified through a Local List which will be adopted by the Council;*
- (iii) Preserving or enhancing Listed Buildings, Scheduled Monuments, Historic Parks and Gardens, including their respective settings, and other features which contribute to the heritage of the Borough; and*
- (iv) Known sites of archaeological importance will be clearly identified and protected, and sites that become known, whether through formal evaluation as part of a Planning Application or otherwise, will similarly be protected according to their importance.*

*Heritage Statements and/or Archaeological Evaluations will be required for proposals related to or impacting on the setting of heritage assets and/or known or possible archaeological sites, so that sufficient information is provided to assess the impacts of development on historic environment assets together with any proposed mitigation measures.*

A number of other development control policies, also relevant to the historic environment, heritage assets and sustainable development, are listed below:

Policy DP1 Design and Amenity; Policy DP5: Appropriate Employment Uses and Protection of Employment Land and Existing Businesses; Policy DP6: Colchester Town Centre Uses; Policy DP8: Agricultural Development and Diversification; Policy DP9: Employment Uses in the Countryside; Policy DP10: Tourism, Leisure and Culture; Policy DP13: Dwelling Alterations, Extensions and Replacement Dwellings; Policy DP21: Nature Conservation and Protected Lanes; Policy DP 22: Dedham Vale Area of Outstanding Natural Beauty; Policy DP23: Coastal Areas.

## Sources of Information

The Council's [Archaeological Advisor](#) provides advice on the archaeological impact of planning applications in the Borough. Colchester Borough Council's [Historic Buildings and Areas Officer](#) provides advice and guidance on the impact of planning proposals affecting designated historic buildings and conservation areas. Owners of historic properties are encouraged to seek early advice regarding the possible impacts of renovation or alteration. The Council also provides in-house specialist [urban design](#) and [landscape advice](#).

A close working relationship between urban designers and architects, conservation officers, archaeologists and landscape planners helps to produce high-quality solutions which respect and enhance the historic environment while maintaining the distinctiveness and variety of the places which characterise the Borough.

### National Heritage List for England

Historic England maintains the list of designated heritage assets, the [National Heritage List for England](#) (NHLE). This is a detailed database of listed buildings, scheduled monuments, registered parks and gardens, battlefields and protected wreck sites for the whole country, which can be interrogated online.

### Urban Archaeological Database

The Council maintains the evidence base for the historic environment in an [Urban Archaeological Database](#) (UAD). This is a detailed database of recorded archaeological sites and historic buildings in the town.

The Colchester UAD contains a wide range of information about the nature and location of archaeological sites, find spots, monuments and buildings of architectural and historic interest - both designated and non-designated heritage assets - from the Palaeolithic to the 20<sup>th</sup> century. Consequently, the UAD records information about Roman buildings as well as post-medieval industrial buildings in the town; together, they contribute to the distinctive historic character of the town.

The UAD is used by the Council's Archaeological Advisor to identify and assess sites at risk of damage by new development. It has formed the basis for a detailed assessment of the archaeology of Colchester. The synthesis of the information recorded in the UAD, completed in 2002, resulted in *Colchester Fortress of a War God: An Archaeological Assessment*, by Adrian Gascoyne and David Radford (edited by Philip Wise) (2013). This and other high-level historical, environmental and archaeological research, underpins the evidence base for the historic environment in the town. Nearly all of the archaeological investigation in Colchester in the last 50 years has been undertaken by the [Colchester Archaeological Trust](#) and their reports are available [online](#).

### Essex Historic Environment Record

In addition to the UAD for the town, the [Essex Historic Environment Record](#) (EHER), maintained by Essex County Council, is the inventory of all known archaeological sites and historic buildings outside the town. Together with the [National Heritage List](#)



[for England](#) (NHLE), these form the evidence base for determining the potential impact of new development proposals on the historic environment.

The Colchester UAD and Essex HER are databases of the known and recorded heritage assets in the Borough, and these are enhanced and updated with the information from new discoveries. New archaeological sites are often discovered during investigations in advance of new developments and as a requirement of planning conditions. In some instances new sites are discovered as a result of systematic research projects, and also sometimes by chance discovery.

A summary of each new project is also published in the annual round-up of investigations in the *Transactions of the Essex Society for Archaeology and History* published by the [Essex Society of Archaeology and History](#). Where appropriate, reports on significant new discoveries are published in full.

There is a small charge for UAD and EHER searches undertaken in support of planning applications, and for other commercial purposes, by [Colchester BC](#) and [Place Services, Essex CC](#), to recover costs for staff time to undertake searches and extract data for developers, their agents and archaeological contractors. Discretionary charges also apply for non-commercial enquiries.

For new planning applications, where there are implications for the historic environment, funding will be sought through developer contributions to enhance the Colchester UAD with the results of the archaeological investigations.

For personal research, the Colchester UAD and Essex HER are available online via the [Heritage Gateway](#). The data on this website provides a summary of the information and is not suitable for planning purposes.

## **Local List**

As well as the relatively small number of designated heritage assets, there are a large number of non-designated heritage assets in the Borough. Non-designated or local heritage assets do not have a statutory basis for their protection but which nevertheless show a distinctive historical or architectural character.

A list of [Locally Listed Buildings](#), in addition to the statutory list, is maintained by the Colchester Historic Buildings Forum. Locally listed buildings are an important part of Colchester's heritage owing to their local architectural or historic significance. The Council encourages proposals to be submitted for new buildings or assets which ought to be added to the Local List.

Although buildings on the local list have no form of statutory protection (they are non-designated heritage assets), their status is a relevant consideration in any planning application. As with Statutorily Listed Buildings, any works carried out should preserve or enhance the building and any features of architectural or historic interest should be retained and appropriate materials used for renovation.

The extent and area of the locally listed buildings in Colchester can be found on the [Colchester's Interactive Map](#) page. The local list currently covers the town and will be extended to the rest of the Borough.

The known and recorded sites are likely to represent only a small proportion of the total within the Borough, but it is difficult to establish how representative they are.

There are likely to be a large number of archaeological remains still to be discovered, some of which may be of schedulable quality, buried below existing buildings and open spaces within the town and villages and below fields in rural areas.

## **Heritage at Risk**

The [Heritage at Risk](#) Programme, managed by Historic England, highlights the plight of designated heritage assets at risk of being lost as a result of neglect, decay or inappropriate development, with the aim of initiating action towards securing their long term conservation.

Heritage buildings that are in use are much more likely to be subject to an appropriate management and maintenance regime than vacant buildings and so securing a positive use for heritage buildings is an important part of the management of Colchester's heritage. This ensures they will remain open for the appreciation and enjoyment for residents and visitors, helping to conserve and enhance Colchester's heritage.

There are currently ten designated heritage assets within the Borough on the [Heritage at Risk Register](#) - four listed buildings, three scheduled monuments and three conservation areas.

## **Aerial Photographic Record**

The archaeological resource of the Borough has been enhanced by archaeological aerial photography. Aerial photography has made some spectacular discoveries and has advanced the number of archaeological sites across the Borough. These have been catalogued and mapped by Essex County Council and copies of the maps are available from the [Essex Historic Environment Record](#). Historic aerial photographs dating back to the 1950s are also held by [Colchester and Ipswich Museums Service](#).

Archaeological remains defined as cropmarks by aerial photography are often difficult to date without intrusive archaeological investigation (i.e. sample excavation). Linear cropmarks defining the ditches of trackways and enclosures, could be late prehistoric, Roman, medieval or later, in date. The morphology of some distinctive cropmarks is suggestive of particular types of archaeological remains. Cropmarks of ring ditches, for example, are probably the below-ground archaeological remains of Bronze Age barrows, funerary mounds covering single or multiple burials.

At Boxted Cross, above the Black Brook (a tributary of the River Stour), the buried remains of a Neolithic henge monument is recorded as cropmarks by aerial photography (NHLE no. 1019078). The henge, a ditched enclosure some 40m in diameter, with two opposing entrances to the north and south, was defined by a ditch 5m wide that would have had an external bank. Henges are ritual or ceremonial centres which date to the Late Neolithic period (2800-2000 BC). As one of the few types of identified Neolithic structures and in view of their comparative rarity, all henges are considered to be of national importance. The henge is not visible on the ground, although its infilled ditches and central pit-like features can clearly be seen from the air as cropmarks.

## **Historic Landscape Characterisation**

The [Historic Landscape Characterisation](#) (HLC) was undertaken for the whole county by Essex County Council between 2000 and 2005 to increase understanding of the historic landscape, using historic and modern maps to identify and map the historic character of the landscape through the application of defined Historic Landscape Character types. The types of rural landscape have been characterised into broad groups based on the way in which they were formed, their current and earlier land uses and their physical appearance. The information from the HLC formed an important element of the Historic Environment Characterisation Project.

## **Historic Environment Characterisation**

The Colchester Borough [Historic Environment Characterisation Project](#) was prepared by Essex County Council Historic Environment Team (now Place Services) in 2009, to provide an evidence base for the creation of the Local Development Framework. It provides a summary of the historic environment, using a map-based classification system for different historic character areas across the Borough.

[Townscape Character Assessments](#) for Colchester, Tiptree, West Mersea & Wivenhoe were produced by Chris Blandford Associates in 2006.

## **Portable Antiquities Scheme**

The [Portable Antiquities Scheme](#) (PAS) is a DCMS-funded project, coordinated by the British Museum and locally managed, which aims to encourage the voluntary recording of archaeological objects found by members of the public. The PAS in Essex is managed by Colchester and Ipswich Museums Service, which also acts as the reporting centre for treasure finds in the county. The PAS database holds over 2,000 records of archaeological artefacts, the majority of which are metal objects discovered by metal-detecting on agricultural land, in the Borough and supplements the data held in the UAD and HER.

## **Essex Record Office**

The [Essex Record Office](#) is the central repository for resources about the history of the County, its people and buildings. The Essex Record Office holds archives encapsulating the experiences and accomplishments of Colchester's people. In addition, [The National Archives](#) also curates a large collection of records relating to the Borough.

[Colchester & Ipswich Museums Service](#) also hold a collection of paintings, drawings, prints and photographs which relate to the history and topography of Colchester. There is also an extensive archaeological library.

## **How are new planning applications determined?**

Decisions relating to new development will be carefully assessed in accordance with the NPPF and also in accordance with the Local Plan.

Paragraphs 128 and 129 of the NPPF state that the significance of any heritage assets (both directly and indirectly) affected by new development is fully understood:

*128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.*

*129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.*

Development that causes substantial harm or total loss, either directly or indirectly, to the significance of any designated heritage asset will be granted in only exceptional circumstances (NPPF paragraph 133). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal (NPPF paragraph 134).

In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be made by the Council, having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF paragraph 135).

Where planning consent is granted, and where there is harm or loss, either directly or indirectly, to the significance of any heritage asset, the Council will:

*require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (NPPF paragraph 141).*

*Copies of evidence should be deposited with the relevant Historic Environment Record, and any archives with a local museum or other public depository (NPPF paragraph 141 footnote).*

Opportunities should be identified in planning applications, often informed by a heritage statement (see below), for sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

## How is Archaeological Potential identified?

The known and recorded archaeological sites are likely to represent only a small proportion of the total within the Borough and the majority of new discoveries, however, are the result of piecemeal investigations. There are likely to be a large number of archaeological remains still to be discovered, buried below existing buildings and open spaces within the town and villages and below fields in rural areas.

Consequently, for many new planning applications, a heritage assessment that includes archaeological field evaluation may be required even if there are no recorded heritage assets within or close to the site.

As a guide, all applications resulting in ground disturbance, listed below, are likely to require some form of archaeological investigation, although the extent of investigation will be determined by the particular circumstances:

- within the centre of Colchester;
- within historic settlement cores defined as Conservation Areas;
- within 100m of a recorded heritage asset;
- for applications over 0.50 ha. in size;
- within locations that are topographically favourable for early occupation, for example, within or above river valleys (and where there is potential for waterlogged deposits).

All enquiries will be dealt with on a case by case basis and measured against information about the site itself and the area as a whole.

### Heritage Statements

Development proposals that affect the historic environment are much more likely to gain the necessary permissions and create successful places if they are designed with the knowledge and understanding of the significance of the heritage assets they affect.

In accordance with the NPPF (paragraphs 189-195), early consultation with [Colchester BC](#) is encouraged in order to improve the efficiency and quality of the planning application process.

A [Heritage Statement](#) will be required where a planning application has the potential to impact on a heritage asset (or potential asset), either directly or indirectly. This will ensure that the potential impact can be fully understood before a planning application is determined. For historic buildings and applications within conservation areas, the Council's [Historic Buildings and Areas Officer](#) will advise on the content of a heritage statement to accompany a planning application. For archaeological sites and historic landscapes, the [Archaeological Advisor](#) will advise on the content of a heritage statement.

In accordance with the NPPF (paragraph 128), the Heritage Statement must be proportionate to the importance of the heritage asset, and its setting, affected by the proposals and will vary according to the particular circumstances of each application.

The preparation of an archaeological desk-based assessment (DBA), or cultural heritage assessment, will be often required for large developments, to gather the baseline information and establish / characterise the heritage resource, and to establish the impact (both directly and indirectly) of the development on the heritage assets, and also to determine the potential for further, previously unknown heritage assets to be present. This study must be prepared by a suitably qualified archaeological consultant or contractor.

The DBA will collate existing written, graphic, photographic and other information in order to identify and characterise heritage assets, and to identify the character of the study area. The Desk-based assessment will collate existing information about the site, including interpretation of geotechnical information. Desk-based assessment will normally cover a wider area to situate a development proposal in the wider landscape context.

In terms of Listed Buildings, the assessment will need to take into account the setting of each heritage asset, and the wider environment in which each asset is situated; Historic England should be engaged for discussion at an early stage for projects affecting Grade I and II\* Listed Buildings.

In terms of applications for hedgerow removal, a historic map survey must be undertaken to establish the date of the hedgerow.

### **Archaeological Evaluation**

The discovery of archaeological remains can be unpredictable and it is therefore important that early advice is sought regarding the possible archaeological implications of development.

An archaeological evaluation may be required within a proposed development site that possesses known archaeological remains, or where there is good reason to believe remains will be present. The need for, and type of, archaeological evaluation will be determined by the Council. The decision will depend on the size and complexity of the development, combined with other information such as the type and extent of current and previous land use, soils and geology, and also any existing archaeological and/or historical information relating to the site. In the case of minor applications, such as small extensions, normally, an evaluation will not be required.

An evaluation will normally consist of one or more of the following surveys for major developments, with the results of each survey informing the next stage of evaluation: geophysical survey, topographic survey, fieldwalking and metal-detecting survey, palaeoenvironmental assessment and trial-trenching.

Fieldwalking and metal-detecting surveys may be requested on large rural, greenfield sites, where ground conditions are appropriate, to recover archaeological objects in the topsoil or agricultural horizon and to identify potential concentrations of material (these surveys can be undertaken on tilled ground, but not on pasture). Together, these can be a rapid and cost-effective method of detecting buried archaeological remains. Where there are surviving earthworks, potentially of historic significance, a detailed topographic survey will be required.

Geophysical survey will often be required on large and/or on rural sites, undertaken by a specialist contractor. This can be a rapid and cost-effective method of detecting and mapping buried archaeological remains, such as pits, ditches, walls, floor

hearths, kilns and roads. In some instances, targeted earth resistance survey and/or ground-penetrating radar may be requested.

In the floodplains of the watercourses within the Borough - principally, the Rivers Stour and Colne and Roman River and their tributaries, as well as the Strood and Salcott Channels, there are likely to be palaeoenvironmental and geoarchaeological remains, with the potential to inform our understanding of past environments, palaeoclimates, sea-level changes and human interaction. A palaeoenvironmental assessment will be required within the floodplains of watercourses, undertaken by an archaeological specialist, where there is potential for encountering waterlogged organic deposits, peat deposits and alluvial deposits. Often, coring will be required in transects across a floodplain, indicated by the mapped flood zones, or trial-trenched evaluation.

The standard method of evaluating a proposed development site is by trial-trenching or test-pitting, to test the results of the non-destructive surveys. Sometimes, this may be the sole evaluation technique used, for small sites and/or where other survey techniques cannot be used. Where trial-trenched is specified, a sample of 5% will be required by the Council to provide an assessment of a site. This will normally be reduced to 3.5% where geophysical survey has been already undertaken.

Trial-trenched evaluation will be often required in two stages, pre and post determination (sometimes referred to as stages 1a and 1b). Normally, the pre-determination trenching will be a lower percentage (1%), often used in conjunction with (and following) geophysical survey.

- Pre-determination trenching or test-pitting is used to assess whether or not there are any 'show-stoppers' on the site, i.e. archaeological remains of national importance, that would prevent development outright (leading to refusal of planning permission).
- Assuming planning consent is granted, the pre-determination evaluation will be followed by further trial-trenching (normally a further 4% sample) to ensure the site has been adequately assessed.

In some instances, the trial-trenched evaluation may be required as a condition of the planning consent. In the case of a single new building within an existing settlement, where there is archaeological potential, a single trial-trench will be required across the foot-print of the proposed building; this is not normally required in advance of planning consent. Where trial-trenching is required as a condition of planning consent it is because the risk of encountering 'show-stoppers' of national importance is considered to be negligible, but there may still be potential for encountering non-designated heritage assets.

If an archaeological evaluation is required, whether or not it is pre or post determination, it is often in an applicant's interest to undertake the trial-trenched evaluation at the earliest opportunity to ensure that the potential archaeological implications, and resources to deal with them, are quantified at an early stage, as part of the risk management. Archaeological excavation, in particular, can have considerable cost and time implications and the archaeological fieldwork must be completed prior to commencement of the development.

In all cases, an archaeological brief must be prepared by the Council's Archaeological Advisor on behalf of the Local Planning Authority (LPA), in accordance with national and regional standards and guidance. In response to the

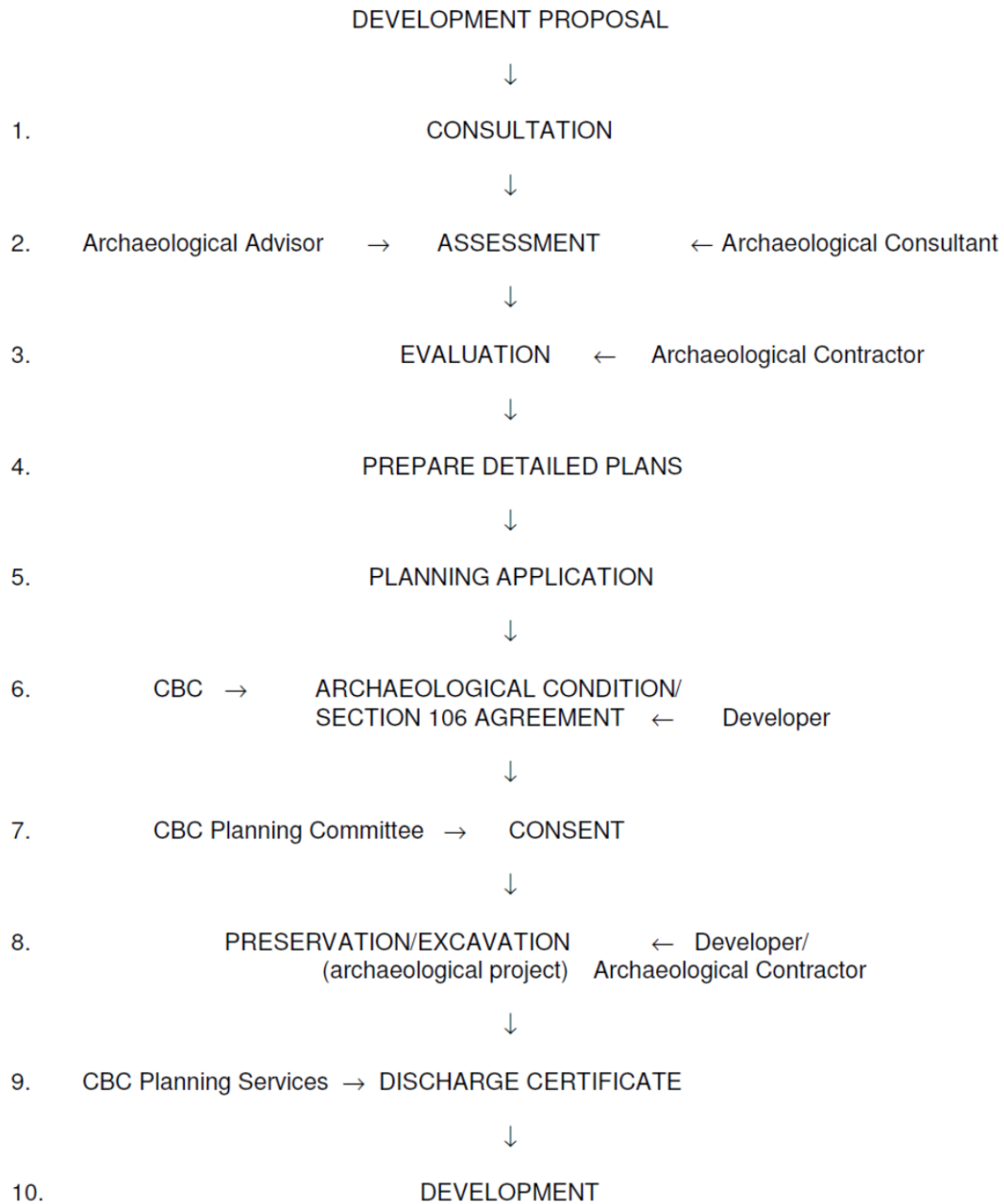
brief, a suitably qualified archaeological consultant or archaeological contractor, approved by the Council's Archaeological Advisor, must be commissioned by the planning applicant to prepare a Written Scheme of Investigation (WSI) or methods statement. The WSI will need to be agreed by all parties, approved by the Council's Archaeological Advisor, and submitted to the LPA. Failure to comply could lead to rejection of the WSI, and cause delays to the project.

The Council applies modest charges, to recover costs, for scrutinising archaeological schemes that are required in advance of planning consent (i.e. pre-determination evaluation) and by planning consent. The charges also apply to developments which fall outside planning requirements such as utility pipelines and cables.

The charge is inclusive of: production of the project brief, scrutiny of the Written Scheme of Investigation (WSI), scrutiny and monitoring of archaeological fieldwork and reporting.



Archaeology and the planning process in ten steps:



## Archaeological mitigation

Heritage assets will be protected and enhanced through the planning system, in accordance with the NPPF and the Local Plan. Planning consent is likely to be refused where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset (NPPF paragraph 133).

In accordance with paragraphs 134 and 135 of the NPPF, where a development will cause harm to a heritage asset, the Council will weigh this against the public benefits of the proposal. A balanced judgement will be made having regard to the scale of any harm or loss and the significance of the heritage asset.

Where harm to the significance of a heritage asset cannot be avoided, mitigation will be at a scale proportionate to the development and the significance of the heritage asset.

### **Preservation *in situ***

There is a requirement to minimise the disturbance to all archaeological remains through preservation in their original place or *in situ*. Where remains of acknowledged national importance are discovered, there will be a requirement to ensure the remains are preserved in their current, or in an enhanced, state, so that archaeological deposits remain undisturbed and unharmed by development.

Where previously unknown archaeological deposits are discovered by evaluation and which are suspected to be of national importance, Historic England will be the arbiter as the body that administers all the national designation regimes.

This can be achieved by:

- Avoiding development altogether in the area containing the buried archaeological remains, for example by designing an open area (without any groundworks) to coincide with the area of archaeological remains.
- Where avoidance is not possible,
  - designing foundations that carefully avoid damage to archaeological remains, for example, by raising the ground level to protect buried archaeological remains. In this case, a protective buffer of undisturbed overburden soil, normally considered to be around 300mm in thickness, between the uppermost archaeological horizon and the base of the construction formation level, will be required to adequately protect archaeological remains from damage;
  - designing foundations that minimise damage to the remains (a balanced trade-off to result in a loss of no more than 2% of the site), for example, by reusing existing foundations and existing service trenches, by the use of different piling configurations and/or by reducing the depth of ground beams and pile caps, combined with archaeological monitoring and recording before or during groundworks where there is an impact on buried archaeology.

Full archaeological excavation and recording can be both time-consuming and costly. Therefore, development schemes that are designed to minimise the impact on archaeological remains, can also be beneficial economically to developers. Again, early consultation, and early assessment, can help to identify the archaeological implications of a development site at an early stage, so that archaeological remains can be preserved and enhanced within (or below) the scheme, i.e. archaeology can be designed out of a scheme at an early stage.

Within Colchester's historic town centre, where there are deep and often well-preserved stratified archaeological deposits up 2.5m deep in places, piling is the preferred foundation system, to preserve the majority of archaeological remains *in situ* (while acknowledging that foundations might damage buried deposits). Preservation by record, i.e., full excavation, will only be permitted in exceptional

cases within the area of the Roman walls; it is also likely to be prohibitively expensive for most developments.

### **Preservation by recording (excavation)**

In many situations, and only where archaeological remains are considered to be of local or regional rather than national importance, it may be possible to secure a programme of archaeological recording as a condition of any planning consent in accordance with the NPPF (paragraph 141).

The following condition relating to archaeological investigation will be normally attached to the planning consent:

*No works shall take place until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation that has been submitted to and approved, in writing, by the Local Planning Authority (LPA). The Scheme shall include an assessment of significance and research questions; and:*

- a. The programme and methodology of site investigation and recording*
- b. The programme for post investigation assessment*
- c. Provision to be made for analysis of the site investigation and recording*
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation*
- e. Provision to be made for archive deposition of the analysis and records of the site investigation*
- f. Nomination of a competent person or persons/organisation to undertake the works*

*The site investigation shall thereafter be completed prior to development, or in such other phased arrangement, as agreed, in writing, by the Local Planning Authority. The development shall not be occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.*

*Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Colchester Borough Council's Core Strategy (2008).*

This standard condition covers most situations relating to the process of archaeological investigation. In certain circumstances, this condition may be varied to accommodate particular requirements.

In the case of small extensions to existing buildings, it is sometimes possible to secure adequate mitigation through continuous archaeological monitoring and recording during the groundworks for the development.

In every case, an archaeological brief must be prepared by the Council's [Archaeological Advisor](#), based on the results of the archaeological assessment

(desk-based assessment and evaluation). In order to prepare a brief, the Archaeological Advisor will require details about all groundworks and will require a detailed set of plans and sections (both current and proposed), as well as geotechnical information.

In response to the brief, the archaeological consultant or archaeological contractor will be required to prepare a Written Scheme of Investigation (WSI) or methods statement, which will need to be agreed by all parties, approved by the Council's Archaeological Advisor, and submitted to the LPA. The Council's Archaeological Advisor will be able to advise the LPA that the condition can be partially discharged at this stage, on the basis that an appropriate scheme of work is in place, to enable the investigation to be carried out.

Full discharge of the condition will only be approved once the agreed scheme of work has been satisfactorily completed (fieldwork, reporting and archiving). However, the development will normally be able to commence once the fieldwork stage of the investigation has been adequately completed. For large and complex projects, it is normally possible to agree a staged release of a development site, if the field investigations are undertaken progressively and systematically, to avoid unnecessary delays to development.

The WSI will *provide the basis for measurable standards* and will be used to establish whether the requirements of the planning condition will be adequately met. If the approved WSI is not carried through in its entirety, the condition will not be discharged. The Archaeological Advisor will monitor the fieldwork to ensure that the archaeological work specified in the WSI is carried out.

## **Building Recording**

In the case of buildings impacted by development that are of potential historic interest (normally any building that is shown on the 1880s OS maps and/or earlier maps), a heritage appraisal will be requested to establish the character and the significance of the building, and the impact of the proposed works on the building. In every case, this piece of work must be undertaken by a historic building specialist. The Council's [Historic Buildings and Areas Officer](#) and [Archaeological Advisor](#) will be able to provide advice and guidance on this work, and about specialists that routinely undertake this work. Where major alterations are required, for example, where conversion of a historic barn has been approved, a historic building record will often be required before planning consent is granted in order to establish the heritage implications of the development.

English Heritage (now Historic England) has defined the different levels of recording for historic buildings in [Understanding Historic Buildings: A Guide to Good Recording Practice](#) (English Heritage 2006). In general, a listed building will require a higher and more detailed level of recording than a non-designated building.

## **Countryside Advice**

Sustainable development is an important objective in rural as well as urban settings. Many archaeological sites and historic landscape features are recorded in the countryside, especially within river valleys which are topographically favourable for early occupation of all periods. Many of the archaeological sites are recorded only as

cropmarks by archaeological aerial photography. Few earthworks survive due to intensive agricultural regimes since the medieval period.

[Countryside stewardship grants](#) are available for the protection of historic and archaeological features and also for historic building restoration. Advice and assistance with the heritage element of agri-environment schemes is available, including farm audits and management plans. The Council can identify sites of interest and show how the conservation of historic features can be accommodated within good agricultural practice.

Colchester Borough has experienced extensive mineral extraction to the west and south-west of the town, in the parishes of Stanway and Birch. This work has afforded the opportunity to undertake some large-scale archaeological investigations. Essex County Council are the Mineral Planning Authority and as such [Place Services, Essex CC](#) are responsible for providing advice on the significance and management of historic remains relating to the minerals industry in the Borough. [Historic England](#) provides advice on the management of historic remains relating to the minerals industry.

## **Important Hedgerows**

The Council's Archaeological Advisor also provides advice on countryside hedgerows. Under [The Hedgerows Regulations 1997](#) important hedgerows are protected from being removed. In terms of the historic environment, a hedgerow is considered important if it is at least 30 years old and meets one of the following criteria:

- marks a pre-1850 parish/township boundary, or part of it;
- incorporates a Scheduled Monument or an archaeological feature recorded 'at the relevant date' in a Historic Environment Record.
- marks the boundary of a pre-1600 estate or manor or is visibly related to any building or other feature of such an estate or manor.

## **Places of Worship and planning**

The [Diocesan Advisory Committee for the Care of Churches](#) or DAC is a statutory body providing advice on the architecture, archaeology, art and history of places of worship; the care and maintenance of church buildings and their contents; and the care and maintenance of churchyards.

The Council's Archaeological Advisor provides the archaeological advice for churches in the Colchester Archdeaconry, within the Diocese of Chelmsford. This advice is provided in accordance with the approach outlined in Guidance Note 1 (2004) of the Association of Diocesan and Cathedral Archaeologists, [Archaeological requirements for works on churches and churchyards](#).

## **Public Benefit**

Provision should be included in every project for public benefit, because archaeological excavations can reveal a wealth of new information that will usually

attract a great deal of local, and sometimes national, attention. This might take a variety of forms of communication and engagement, appropriate to the project.

For excavations, and where health and safety conditions permit, it is expected that arrangements will be made for a site 'open day' to promote the archaeological discoveries. If there is a local school, it might be appropriate to arrange a learning opportunity for young people. In some locations, within the town, a viewing platform might be provided for the public to watch the investigations in progress. Once the on-site excavation has been undertaken, and assessment completed, it might be appropriate to hold a community presentation (or presentations). In some cases, for significant discoveries, press coverage might be appropriate.

All excavations must be followed by a post-excavation assessment to assess the significance of the findings, unless otherwise agreed in writing with the Council. This will normally lead to a programme of post-excavation analysis, reporting and where appropriate publication, and archiving. The programme of post-excavation analysis will need to be agreed by all parties before this work commences, detailed in an updated WSI. The condition will be discharged at this stage, on the basis that an appropriate scheme of post-excavation and recording is in place, to enable the archaeological work to be completed, without causing delay to the development.

Where appropriate, opportunities will be sought through planning obligations for developer contributions for the provision of displays and interpretation of new and important archaeological discoveries. In some cases, this might be through the conservation, display and interpretation of archaeological remains *in situ*, where public access is possible without detriment to the site. It might be through the provision of display cases for the archaeological objects or for interpretation panels within, for example, publically accessible buildings on or close to the site of the discoveries, or within other appropriate venues, for example, Colchester Castle Museum.

## **Curation of archaeological archives**

All finds and archives from archaeological investigations in Colchester are held by [Colchester and Ipswich Museums Service](#). They comprise one of the finest and most extensive collections of, in particular, Iron Age and Romano-British archaeology in the country. For all new projects, an archive of all records and finds must be prepared, and agreement must be sought, before the project commences, for transfer of ownership and deposition of the entire archive with [Colchester and Ipswich Museums Service](#) after the investigation has been completed. Colchester and Ipswich Museums Service will accession the archive into their collection, held in a secure storage facility, and make them available for display and study.

For major projects, funding will be sought through a planning obligation for the long term curation and storage of the archive generated by the investigation.

## Glossary

**Archaeological interest:** There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.

**Conservation (for heritage policy):** The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

**Designated heritage assets:** Nationally important listed buildings, scheduled monuments, registered parks and gardens, battlefields and protected wreck sites which enjoy statutory protection.

**Heritage asset:** A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

**Historic environment:** All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

**Historic environment record:** Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.

**Non-designated heritage assets:** Buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets.

**Planning obligation:** A legally enforceable obligation entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

**Setting of a heritage asset:** The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

**Significance (for heritage policy):** The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

### Who should I contact for further information?

If you have any queries about archaeological investigation in the Borough, please contact:

Jess Tipper, Archaeological Advisor, Colchester Borough Council, Rowan House 33 Sheepen Road, Colchester CO3 3WG  
tel: 01206 508920  
Email: [jess.tipper@colchester.gov.uk](mailto:jess.tipper@colchester.gov.uk)

Libby Kirkby-Taylor, Historic Buildings and Areas Officer, Colchester Borough Council, Rowan House 33 Sheepen Road, Colchester CO3 3WG  
tel: 01206 506374  
Email: [Libby.Kirkby-Taylor@colchester.gov.uk](mailto:Libby.Kirkby-Taylor@colchester.gov.uk)

Paul Sallin, Urban Designer, Colchester Borough Council, Rowan House 33 Sheepen Road, Colchester CO3 3WG  
tel: 01206 505859  
Email: [paul.sallin@colchester.gov.uk](mailto:paul.sallin@colchester.gov.uk)

Adam John, Landscape Planning Officer, Colchester Borough Council, Rowan House 33 Sheepen Road, Colchester CO3 3WG  
tel: 01206 282472  
Email: [adam.john@colchester.gov.uk](mailto:adam.john@colchester.gov.uk)

In addition to the Strategy, the Council's document [Archaeology and the Planning Process](#) provides further useful information for individuals thinking about a development proposal.

You can find out more about designated heritage assets from Historic England. The National Heritage List for England (NHLE) is the official and up-to-date database of all nationally designated heritage assets and contains a map and description of all designated assets. The List can be viewed at:  
<https://www.historicengland.org.uk/listing/thelist/>

Information on Scheduled Monuments, and the different consents required for carrying out works, can be obtained from Historic England at:  
<https://www.historicengland.org.uk/advice/hpg/>

Deborah Priddy, Inspector of Ancient Monuments, Historic England (East of England), 24 Brooklands Avenue, Cambridge CB2 8BU  
tel: 01223 582720  
Email: [Debbie.Priddy@english-heritage.org.uk](mailto:Debbie.Priddy@english-heritage.org.uk)

[Historic England](#) (formerly English Heritage) has produced advice on a wide range of topics while both the [Chartered Institute for Archaeologists](#) and the [Institute for Historic Building Conservation](#) has produced a range of Standards and Guidance for the sector.

A copy of *Guidelines on the Preparation and Transfer of Archaeological Archives to Colchester Museums* can be obtained from Stephen Yates, Documentation Officer, Colchester and Ipswich Museums, Museum Resource Centre, 14 Ryegate Road, Colchester CO1 1YG  
tel: 01206 282471  
Email: [stephen.yates@colchester.gov.uk](mailto:stephen.yates@colchester.gov.uk)

The Chartered Institute for Archaeologists can be contacted at <http://www.archaeologists.net/> or 0118 378 6446



The current Local Plan 2001-2021 is available at <http://www.colchester.gov.uk/ldf>

Further information about Historic England, Heritage Protection and designation can be found on the Historic Environment Local Management (HELM) website:  
[http://www.helm.org.uk/managing-and-protecting/heritage-protection/English Heritage](http://www.helm.org.uk/managing-and-protecting/heritage-protection/English%20Heritage)

The National Planning Policy Framework is available from the following website:  
[https://www.gov.uk/government/publications/national-planning-policy framework--2](https://www.gov.uk/government/publications/national-planning-policy-framework--2)