

From: public.access@hinckley-bosworth.gov.uk
Sent: 13 June 2024 12:06
To: Planning Application Comments
Subject: Consultee Comments for Planning Application 24/00484/OUT

Consultee comments

Dear Sir/Madam,

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 13/06/2024 12:05 PM from Mr William Kelly (william.kelly@leics.gov.uk) on behalf of LCC Archaeology - Historical And Natural Environment Team.

Application Summary

Reference:	24/00484/OUT
Address:	Land East Of Leicester Road Earl Shilton Leicestershire
Proposal:	Outline planning application (some matters reserved except for means of access and scale) for the erection of up to 33 dwellings, including affordable housing, public open space, landscape planting, sustainable drainage system and new access arrangements from the Un-named Road.
Case Officer:	Sullevan Archer

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Comments Details

Dear Sullevan,

24/00484/OUT | Outline planning application (some matters reserved except for means of access and scale) for the erection of up to 33 dwellings, including affordable housing, public open space, landscape planting, sustainable drainage system and new access arrangements from the Un-named Road. | Land East Of Leicester Road Earl Shilton

Archaeological considerations

Comments: Following appraisal of the above development scheme, we recommend that you advise the applicant of the following archaeological requirements, for pre-determination trial trenching.

We note the submission of a Heritage Statement (Asset Heritage report ref.: SW 10263) and would recommend that you seek the advice of your specialist Conservation Officer regarding any potential impacts of the development upon the setting and significance of the designated grade II listed building Top House (NHLE ref.: 1180239). Given the proximity, siting and nature of the development proposals to the scheduled Earl Shilton motte and bailey castle (NHLE ref.: 1010302) and the grade II* listed Church of St Simon and St Jude (NHLE ref.: 1074259), it is also recommended you consider consulting with Historic England,

regarding the impact of the proposals on the setting and significance of these monuments.

The Leicestershire and Rutland Historic Environment Record (HER) notes that the site lies within the medieval and post-medieval historic settlement core of Earl Shilton (HER Ref.: MLE9535). The submitted archaeological desk-based assessment is welcomed (MOLA report ref.: 24/050), although we believe that the conclusions drawn regarding the significance of any archaeological remains within the site are based upon an inadequate level of information. We also welcome the submission of a geophysical survey (MOLA report ref.: 24/051), which has identified a number of anomalies of archaeological interest including a sub-rectangular feature and a number of linear anomalies within the northern and central areas of the site.

Whilst geophysical survey can be a useful tool in identifying anomalies with a potential archaeological origin, the likely significance of these remains cannot be determined without the further information intrusive investigation (trial trenching) would provide (extent, date, character and nature of archaeological remains). Therefore, although the site contains a high archaeological interest, currently there is little clarity or recognition regarding the significance of any buried remains present.

Given the limitations of geophysical survey as a means of archaeological evaluation, the site's proximity to the historic settlement core and the uncertainty regarding the significance of any remains present within the site, it is our recommendation that this should be supported by a programme of trial trenching. The evaluation should target areas of heightened potential, in addition to providing a wider sample of the site as a whole. Of particular interest is the sub-rectangular anomaly identified by the geophysical survey and the southwestern area of the site where the topography, underlying geology and proximity to the historic settlement core indicate a raised archaeological potential.

The preservation of archaeological remains is, of course, a "material consideration" in the determination of planning applications. The proposals include operations that may destroy any buried archaeological remains that are present, but the archaeological implications cannot be adequately assessed on the basis of the currently available information. Since it is possible that archaeological remains may be adversely affected by this proposal, we recommend that the planning authority defer determination of the application and request that the applicant complete an Archaeological Impact Assessment of the proposals.

This will require provision by the applicant for:

- A field evaluation, by appropriate techniques including trial trenching, if identified necessary in the assessment, to identify and locate any archaeological remains of significance, and propose suitable treatment to avoid or minimise damage by the development. Further design, civil engineering or archaeological work may then be necessary to achieve this.

This information should be submitted to the planning authority before any decision on the planning application is taken, so that an informed decision can be made, and the application refused or modified in the light of the results as appropriate. Without the information that such an Assessment would provide, it would be difficult in our view for the planning authority to assess the archaeological impact of the proposals.

Should the applicant be unwilling to supply this information as part of the application, it may be appropriate to consider directing the applicant to supply the information under Regulation 4 of the Town and Country Planning (Applications) Regulations 1988, or to refuse the application. These recommendations conform to the advice provided in DCLG National Planning Policy Framework (NPPF) Section 16, paras. 194 & 195).

Should you be minded to refuse this application on other grounds, the lack of archaeological information should be an additional reason for refusal, to ensure the archaeological potential is given future consideration.

The Historic & Natural Environment Team (HNET), Leicestershire County Council, as advisors to the planning authority, will provide a formal Brief for the work and approve a Specification for the Assessment at the request of the applicant. This will ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority, in a cost-effective manner and with minimum disturbance to the archaeological resource. The Specification should comply with relevant Chartered Institute for Archaeologists "Standards" and "Code of Practice", and should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable.

Information on suitable archaeological organisations to carry out this work can be obtained from HNET. Should you have any further queries please do not hesitate to contact us.

Yours sincerely,

William

Kind regards