
From: public.access@hinckley-bosworth.gov.uk
Sent: 11 April 2023 09:05
To: Planning Application Comments
Subject: Consultee Comments for Planning Application 23/00311/FUL
Categories: Sonia

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 11/04/2023 9:04 AM from Mr William Kelly (william.kelly@leics.gov.uk) on behalf of LCC Archaeology - Historical And Natural Environment Team.

Application Summary

Reference:	23/00311/FUL
Address:	Land Off Chapel Lane Witherley Atherstone Leicestershire CV9 3LR
Proposal:	Proposed construction of 5 detached dwellings with associated garages, parking provision, access and landscaping
Case Officer:	Sullivan Archer

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Comments Details

Dear Sullivan,

23/00311/FUL | Proposed construction of 5 detached dwellings with associated garages, parking provision, access and landscaping | Land Off Chapel Lane Witherley Atherstone

Archaeological considerations

Comments:

Thank you for your consultation on this application. We would repeat our advice offered in relation to the previous application 21/01305/FUL, and recommend that you advise the applicant of the following archaeological requirements, for conditioned archaeological assessment.

The Leicestershire and Rutland Historic Environment Record (HER) notes that the site lies within an area of archaeological interest; adjacent to the 19th century Mission Rooms (HER ref.: MLE26324), to the west of the medieval and post-medieval historic core of the village of Witherley (MLE8929), and to the north of the scheduled earthworks of the Roman settlement and burgus at Mancetter (MLE3302 & 19039). Previous land use impact and the presence of existing vegetation indicates a reduced potential to preserve significant archaeological remains, and additionally that effective evaluation of the application area is better

addressed following clearance of the obstacles to archaeological investigation. We would therefore recommend a post-determination programme of archaeological assessment, to be secured by condition on any approved planning permission.

In accordance with National Planning Policy Framework (NPPF), Section 16, paragraph 194, the development area is of archaeological interest and also has the potential for further unidentified archaeological deposits. Based upon the available information, it is anticipated that these remains whilst significant and warranting further archaeological mitigation prior to the impact of development, are not of such importance to represent an obstacle to the determination of the application (NPPF paragraph 195).

While the current results are sufficient to support the planning decision, further post-determination trial trenching will be required in order to define the full extent and character of the necessary archaeological mitigation programme.

NPPF paragraph 205, states that Local Planning authorities should 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 of development, and to make this evidence (and any archive generated) publicly accessible.

In that context it is recommended that the current application is approved subject to conditions for an appropriate programme of archaeological mitigation, including an initial phase of exploratory trial trenching, followed, as necessary by intrusive and non-intrusive investigation and recording. The Historic & Natural Environment Team (HNET) will provide a formal Brief for the latter work at the applicant's request.

If planning permission is granted the applicant must obtain a suitable written scheme of Investigation (WSI) for both phases of archaeological investigation from an organisation acceptable to the planning authority. The WSI must be submitted to the planning authority and HNET, as archaeological advisors to your authority, for approval before the start of development. They should comply with the above mentioned Brief, and with relevant Chartered Institute for Archaeologists "Standards" and "Code of Practice". It should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable for the development.

We therefore recommend that any planning permission be granted subject to the following planning conditions (informed by paragraph 37 of Historic England's Managing Significance in Decision-Taking in the Historic Environment GPA 2), to safeguard any important archaeological remains potentially present:

1. No demolition/development shall take place/commence until the necessary programme of archaeological work has been completed. The programme will commence with an initial phase of trial trenching to inform a final archaeological mitigation scheme. Each stage will be completed in accordance with a written scheme of investigation (WSI), which has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed mitigation WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in

accordance with the programme set out in the WSI.

Reason: To ensure satisfactory archaeological investigation, recording, dissemination and archiving

The Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.

The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.

Please will you ensure a copy of the Decision Notice is sent to us in due course, to enable us to continue to monitor and safeguard the archaeology of this site. Should you or the applicant have any further queries please do not hesitate to contact us.

Yours sincerely,

William

Kind regards