

David Buckley  
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Dear Mr. Buckley,

**Re: 19/01818/OUT South Caldecotte - Committee Meeting 06/02/20, Archaeological Issues**

We write to you having reviewed your report to the Development Control Committee meeting on 06/02/20, in order to respond to this and set out our position on matters of Archaeology.

We note that your report lists the impact on archaeology as a reason for refusing planning permission. Attached in Appendix A is a response to the issues raised by the Council's Archaeologist, provided by our archaeological consultant, Dr Michael Dawson.

Dr Dawson, a notable authority on Roman occupation archaeology, explains why the assessment by MKC Archaeology response is flawed, namely because:

- It relies too heavily on unsubstantiated speculation stemming from the results of evaluation;
- The use of value laden but inappropriate terminology is misleading;
- The interpretation of the evidence does not take account of current research.

Dr Dawson's response concludes that the archaeology within development site is of local or regional at most interest but is not of Schedulable significance.

Turning to the committee report itself, Para 7.69 of the committee report states that the EIA Screening Direction report provided by the secretary of State states that the impact of development on the environment has potential to impact heritage assets of national or potential national importance. Para 7.71 of the committee report sets out that the archaeological remains within Area B are of probable national significance. This is not consistent with the wording in the Screening Direction report. The issue is further explored within Dr. Dawson's response, which states that the evidence available does not support the view that the archaeology is of national importance.

The remaining points in para 7.71 of your report are fully addressed within Dr. Dawson's response. You allege that the methodology that has been used by the applicant is inconsistent and that the significance of the archaeology within Area B has been 'played down'. We dispute these criticisms of our submission. Dr. Dawson's response is based on the results of evaluation, comparison of adjacent excavation and current research. Justification for the excavation of heritage assets is provided within Dr. Dawson's response, but can also be justified when considered against the substantial benefits that the scheme would provide.

The Historic England response states that less than substantial harm, at the minor end of the scale would result to the setting of the Schedule Monument of Magiovinium. We note that officers do not cite the impact on the setting of the Scheduled Monument as grounds for refusing the scheme, and this is confirmed in paragraph 7.78 of the committee report.



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In summary, the proposal as submitted is compliant with Policy SD14 and does not result in harm to non-designated heritage assets that warrants the refusal of planning permission.

Finally, we request that Members of the Development Control Committee defer the item to allow continued dialogue regarding outstanding items to enable them to be resolved. The planning application is currently well within statutory timescales which can be extended to allow for resolution of the matters discussed in this letter. The deferral of the item until the meeting in April would allow for officers to work with us to resolve the items outlined above.

We look forward to hearing from you.

Yours sincerely,



**Graham Robinson** MRTPI  
Associate Director

Attached: Appendix A – Letter from Dr. Mike Dawson, Director, RPS

## South Caldecotte 19/01818/OUT

### Re: Development Management Consultation Amended Consultation Response N Crank, Snr Archaeological Officer, 7<sup>th</sup> January 2020

## Summary

The Consultation response to the proposed development of the Allocated Site (Plan:MK 2016-2031 SD14) comprises an **Objection** where the consultee believes their objection cannot be overcome by any amendments or additional information.

This is despite the policy presumption in favour of development, the evident soundness of the Plan:MK 2016-2031 and Policy South Caldecotte Strategic Employment Allocation (SD14) which specifies a *minimum of 195,000m<sup>2</sup> of Class B2/B8 and ancillary B1 employment floorspace* and that ... *A desktop Archaeological Assessment should be undertaken to understand the likely presence of archaeological remains within the site. The recommendations of the Assessment will be implemented prior to each phase of development commencing. It may be necessary to undertake a field investigation to understand the archaeological potential and significance of this site to inform the layout of development.*

Despite the policy above which recommends that investigation should be undertaken to understand the archaeological potential and significance of this development site *'to inform the layout of development'* and the presentation of a Desk Based Assessment, a field investigation comprising a Geophysical Survey and Trial Trench Evaluation neither of which recommend preservation in situ the Consultee has chosen to recommend refusal which cannot be overcome by any amendment or additional information. This position is contrary to policy which requires the archaeological investigations to inform the layout of development.<sup>1</sup>

## The Developer's Case

It is the position of the developer that this Consultee Response is contrary to policy and the basis of the advice is flawed. The basis of the Objection is that the application should be refused due to the *'unjustified total loss of designated (or of equivalent significance) and non-designated heritage assets of archaeological interest'*. In the following section this report will argue that the Objection has excluded any further justification based on policy, economic development and employment by the initial assertion that the *'objection cannot be overcome by any amendments or additional information'* and that this betrays a prejudicial position adopted by the Senior Archaeological Officer. Furthermore the reference to the *'total loss of designated (or of equivalent significance) and non-designated heritage assets'* both overstates the potential impact of development by implying the *'total loss of significance of a designated heritage asset'* (NPPF Para 195) and the significance of a Roman street in terms of its absolute survival and its relationship to the Roman town of Magiovinium (SAM).

The developer's case is that the Snr Archaeological Officer (1) relies too heavily on unsubstantiated speculation stemming from the results of evaluation, (2) that the use of value laden but inappropriate terminology is misleading and (3) that interpretation of the evidence does not take account of current

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<sup>1</sup> If no other information can be provided to make the development acceptable to the Snr Archaeological Officer this means that no development can take place at SD14.

research. It is our opinion that the archaeology within development site is of regional and local interest and not of Schedulable significance.

## The Non-designated Status of the Heritage Assets<sup>2</sup>

In Key Considerations the Snr Archaeological Officer has asserted that the buried archaeological remains are ‘of **probable** national significance comprising a metalled Roman street (c.250m in length) and adjacent areas or urban settlement (buildings) forming part of the Roman town of Magiovinium’. In Key Points the significance of the archaeology lies in four ‘well preserved areas’:

1. The remains date from 1st to 4th century with underlying Iron Age activity
2. There is 250m of Roman street,
3. There is evidence for substantial buildings including some of brick construction with tiled roofs,
4. High status pottery is present including regional wares, imported Samian (France) and amphora from Spain.

### 1. The remains date from 1st to 4th century

The first point is that the remains date from the 1<sup>st</sup> to 4<sup>th</sup> century. Taken out of context this is meaningless as the Roman occupation of Britain lasted from AD 43 until after 410 AD. In the SHA I have written that:

*‘In summary the areas of Roman activity retain significant evidence in the form of archaeological deposits relating to the 1st to 4th centuries. In relation to periodisation the later Iron Age pottery hints at the location elsewhere of an earlier settlement whilst the Roman pottery suggests that the street was first occupied in the pre-Flavian period until at least the late 2nd century, when the flanking ditches may have been allowed to silt up. The earliest activity at the Unwin’s site may have been quarrying alongside the road before any settlement activity occurred. Enclosures seem to have been established here after the quarry period from the late 1st century onwards and occupied into the 3rd century before the town began to contract in the 3rd and 4th centuries. This is a situation which is comparable to that identified during David Neal’s excavation along the route of the A5 (Neal 1987)’<sup>3</sup>. (From SHA 2019, 2.14)*

This interpretation has not been challenged by the Snr Archaeological Officer, however the implication of the later comments and Conclusion that ‘*The assessment does not properly highlight the complexity, rarity, research potential, good state of preservation*’ implies that this is exceptional and of national significance. However, as Burnham and Wachter writing in 1990 observed “*It can probably now be claimed that a good deal is known about origins. Most sites<sup>4</sup> have been sufficiently examined to show the origin to be either an existing Iron Age settlement or religious site*” and that “*It is abundantly clear that minor streets in many small towns were only constructed as and when they were required...*’ Burnham and Wachter 1990, 321). With regards to the later period as Rogers, writing in 2011 noted, ‘small towns *‘become more prominent in the late Roman period*’ (Rogers 2011 (2013) 178)<sup>5</sup>.

It is entirely unacceptable, therefore, to promote the activity at Unwins as exceptional when the chronological evidence of activity fits well with a pattern established from the 1990s onwards.

### 2. There is 250m of Roman street

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<sup>2</sup> This section follows the Consultee response in referring only to the area described in the application as Unwins Land.

<sup>3</sup> Neal D S 1987 Excavations at Magiovinium, Buckinghamshire, 1978-80 Records of Buckinghamshire, Vol 29 1987.

<sup>4</sup> Burnham and Wachter examined 54 out of 80 Roman small towns in Britain recognised before 1990

<sup>5</sup> Rogers A 2011 *Later Roma Towns Rethinking Change and Decline*, Cambridge

The second point concerns the 250m of Roman street. The metalling of the street has been preserved beneath the ridge of ridge and furrow in the area of Unwins land (2). Although somewhat truncated remains of the flanking ditches survive together with recuts. No figures exist for the extent of surviving Roman streets in Britain. However in the recent research frameworks Prof Fulford has proposed that<sup>6</sup> *'The hinterland settlement and mortuary landscape of both 'large' and small towns requires further research. Examples with hinterlands relatively untouched by modern development offer major opportunities for research'* (Fulford 2014, 12.7.2, page 181). This echoes Burnham and Wachter in 1991 *'Streets in themselves are also worthy of study , not by a quick section across them but by stripping lengths, which will show the different types of aggregate, the way they were laid down...'*. Neither research frameworks nor *'The Future'* (Burnham and Wachter 1991, 320)<sup>7</sup> indicate that a street surface alone constitutes more than an object for further research.

### 3. Evidence of substantial buildings including some of brick construction with tiled roofs

The third point is the most contentious. The observation that there is evidence of *'substantial buildings including some of brick construction with tiled roofs'* is often repeated [Key Considerations, Key Points Assessment 'substantial structural remains']. However the evaluation report is explicit in its Conclusion that:

*"The scope of the trial trenching limits conclusions can be drawn at this stage. It appears that the remains represent an area of roadside settlement associated, forming part of, the Roman town of Magiovinium. The regular layout of the enclosures may indicate an element of formal planning rather than organic growth. Activities within these enclosures perhaps related to the processing of agricultural produce (cereals and animals) as well small- scale craft activities. **No evidence for substantial structural remains was present, as has been seen in the main parts of the Roman town.** Evidence from other extra-mural excavations at Magiovinium have shown the presence of timber buildings, including possible shops and inns, fronting onto Watling Street (Hunn et al 1995), and it is possible that a similar pattern is being replicated here, albeit on a smaller scale along a less significant thoroughfare."* (Burke 2018, Sec 7 discussion).

It is difficult to understand where this identification of a substantial Roman building originates. The specialist report on the brick and tile in the trial trench evaluation report (Atkins 2019, 53)<sup>8</sup> does speculate that: *This quantity of Roman tile and brick, found in over 30 separate contexts is **probably** significant. This amount of brick and tile is not usual for an evaluation and suggests that there is/are likely that there had been Romanised building(s) on site constructed with tiles and brick.* However, on close reading of the text it is clear that the author refers to *'the site'* meaning that of Magiovinium generally. This is an interpretation supported by the quantity of brick and tile itself. In total 9.65kgs was recovered from 8 trenches (8, 14, 25, 28, 69, 76, 78, 85). In all some 31 contexts. The trenches are in fact widely dispersed 8, 14, 25, 28 and 76 are east of the brook in Normans land, 69 is to the south in Woburn estates. Only 85 is situated across the Roman street while 78 evaluated a ditched enclosure south of the street. This is not an area of concentrated brick work. Just as importantly the weight of brick and tile

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<sup>6</sup> Professor Fulford was promoted Professor of Archaeology at the University of Reading in 1988. He has served as Dean of the former Faculty of Letters and Social Sciences (1994-1997) and Pro-Vice-Chancellor for Teaching and Learning (1998-2004). His principal research interests are in Roman archaeology, particularly in the fields of rural settlement, urbanism, economy, material culture, technology and trade. He directs: *The Silchester Roman Baths Project*, 2018- has directed *The Silchester Insula IX Town Life Project 1997*; *The Silchester Environs Project 2014*; *The Nero and Silchester Project 2016-19* and *The Rural Settlement of Roman Britain* project.

<sup>7</sup> Burnham B, Wachter J 1990 *The 'Small Towns' of Roman Britain*, London:Batsford

<sup>8</sup> Burke J 2018 Archaeological trial trench evaluation on land at South Caldecott Milton Keynes Buckinghamshire October 2018 (EMK 1365; AYBCM:2018.106)

recovered, 9.65kg, represents approximately<sup>9</sup> 5 to 6 bricks or tiles. The quantity distributed across 8 trenches and 31 contexts does not constitute the remains of substantial brick built and tile roofed buildings nearby. In trenches 85 (11 frags at 1.193kg) and 78 (4 frags at 0.23kg) the fragments alone do not suggest buildings immediately adjacent rather small amounts of material from elsewhere. Finally the geophysical survey interpretation map (Burke 2019, Fig 4) does not show the location of any substantial buildings. A more realistic interpretation is that some brick material has been brought to the area within the development site (SD14) as backfill of the quarry pits, found its way into silted up ditches and lodged in the road surface.

#### 4 High status pottery is present

Turning to the final point (4), that high status pottery was found during the evaluation and contributes to the equivalent to scheduled status of the site status, it is important to compare this with another site on the east side of Magiovinium, Site 17, excavated by David Neal. In the excavation report Geoffrey Dannell<sup>10</sup> recorded that the excavation produced “**Over 1000 samian sherds...**” which he interpreted as ‘Apart from a few exceptions most of the sherds were in horizons mixed with coarse pottery covering a wide date range, and **perhaps dumped from the town**’.

Dannell went on to note that ‘*Supplies came from **the normal kiln sites** at La Graufesenque, Les Martres-de-Veyre, and Lezoux in the second century. Peripheral sources were the Lezoux first-century kilns and Montans but this evidence is limited to only a few sherds*’ (Dannell 1987, 99).

In the current evaluation the pottery assemblage is described in similar terms to those of Dannell over 30 years ago: “*The pottery assemblage represents a substantial collection and range of wares. The size of the assemblage is no doubt due to the presence of substantial occupation in the area, including the Roman road; while the character of the assemblage can certainly be seen to have been shaped by proximity to the Roman town of Magiovinium and close connections to this centre and others via the roadway. The range of wares present also indicates a wide chronological spread over which there was activity in the area, from the Iron Age through to the later Roman period (late third century at the earliest). **Though being an interesting and sizeable assemblage, the pottery was poorly preserved. Many wares were found to be abraded and/or weathered (many slipped sherds, for example, preserved only traces of their colour-coats as a result of unfavourable soil conditions), and the average sherd weight was low for a Roman assemblage at just 12.1g***” (Sutton 2019 Sec 6.1 page 43).<sup>11</sup>

The evaluation report goes on to note that “*Continental imports were limited to samian wares and amphorae. **There is little surprising about the details of the fabrics found.** All of the amphorae were Baetican in origins (NRFRC fabrics BAT AM 1 and BAT AM 2), while the samian was predominantly southern and central Gaulish (predominantly LEZ SA 2) where fabrics could be confidently established. The samian forms occupied a wide range of tablewares, including forms Drag. 18/31, 29, 33, 35, 36, 37, and 38, and one Ludowici Tg. Moulded decoration was encountered four times, on forms 29 and 37. The single example of form 29 included a well-reserved vegetal design (fig.44). One stamp was found in (809), reading MAPILLOF and referring to the potter Mapillus of Lezoux (fig.47). The proportion of samian represented in the assemblage is moderately high, at 4% by sherd count*” (Sutton 2019 Sec 6.1 page 47)

Overall the evaluation report describes the variety of pottery forms recovered as “*Table 3 presents quantification of the vessel categories recorded. Despite being close to the town at Magiovinium, the assemblage is jar-dominated (61%) and produced only 14% bowl/dishes; **figures expected from a rural***

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<sup>9</sup> There are several Roman brick and tile types on average they weigh between 4.5 and 5.5lbs; the number of bricks and tiles suggested above is based on 0.453g to a 1lb)

<sup>10</sup> Geoffrey Dannell is a nationally recognised Samian specialist  
<https://archaeologydataservice.ac.uk/library/browse/personDetails.xhtml?personId=12339> accessed 17/1/20

<sup>11</sup> In Burke J 2018 Archaeological trial trench evaluation on land at South Caldecott Milton Keynes Buckinghamshire October 2018 (EMK 1365; AYBCM:2018.106)

*site without easy access to a roadway. Beakers occupy a moderately high but not unexpected proportion of the assemblage (compare to the 13.4% from the recently-excavated assemblage from Steeple Claydon, Bucks.: Sutton 2018, fig.46). Mortaria are very well represented, though, at 1.42 EVEs and 5.5% of the assemblage.” (Sutton 2019 Sec 6.1 page 47)*

The pottery report for the evaluation makes clear, as I have highlighted, that the area of archaeology at Unwins is on the periphery of the Roman small town comparable to a rural site, may have been in receipt of dumped pottery (perhaps to be expected in an area of backfilled quarrying) and has produced no surprises (exceptional deposits) according to the pottery specialist. It is on the periphery of the Roman town best described as its hinterland. To be of schedulable quality the DCMS guidelines 2013, 6 *Under the terms of the 1979 Act the Secretary of State has a duty to compile and maintain a schedule of ancient monuments of national importance*, and it is the developer’s contention that the independent judgement of the evaluation that *“Though being an interesting and sizeable assemblage, the pottery was poorly preserved”* together with *“There is little surprising about the details of the fabrics”* and that the *“figures expected from a rural site without easy access to a roadway”* do not constitute an interpretation which suggests national importance.

## **That interpretation of the evidence does not take account of current research**

The third concern is that the Snr Archaeological Officer suggests the basis on which the significance of the archaeology has been assessed is flawed due to the use of inappropriate research objectives. In particular it is stated that there is *“no evidence that the archaeology was considered in relation to any national research priorities...”*

Two research frameworks documents have been cited in the ES text: Fulford 2014 and Knight 2012. These are the regional studies of the East Midlands and West Midlands which contribute to the English Heritage’ (now Historic England) national research frameworks project. In paragraph 8.155 the text quotes how *“The investigation will also take account of the national research programmes outlined in Historic England/English Heritage’s ‘Strategic Framework for Environment Activities and Programmes in English Heritage (SHAPE)’ first published in 2008.*

The Roman Research Strategy to which the Snr Archaeologist refers is *“Research Strategy for the Roman-Period Historic Environment”* which originated in 2009, was published in 2012. As the report itself makes clear *“The present draft has been revised to align it with English Heritage’s Corporate Plan for 2010-2015 and the National Heritage Protection Plan (NHPP).”* The latter was described in 2012 by Ed Vaizey MP, Minister for Culture, as *‘effectively the business plan for the historic environment’, the National Heritage Protection Plan comprises a framework for heritage protection built around a clear set of priorities’.*

Furthermore the Snr Archaeological Officer seeks to portray this document as setting out key research objectives and criteria on which to judge the significance of *‘Roman small towns their suburbs and routeways’*. The document makes no reference to Roman small towns. There are three references to towns. The first is the observation that

*Roman period deposits in modern towns, in common with those of later intensely urbanised periods, are particularly vulnerable to modern development either directly, or through dewatering or other impacts from off-site activities. In the countryside Roman sites and deposits, like those of other periods, are subject to impacts from infrastructure and other development projects, current farming practices and changes in agricultural regimes, as well as other damage outside the planning process, such as and coastal and other erosion. (page 8)*

The second reference is under the heading:

*Critical Research Priorities for the Roman-period historic environment:*

*4.1 Identifying and understanding vulnerable site types to support Protection and Management of Change (Topics 1, 2) (NHPP Measures 3 and 4, supporting Measures 5 and 6)*

*Elements of the Roman-period historic environment, such as villas and public buildings in the core-areas of **major towns** are readily recognised and relatively easily understood within the context of an established literature and are also easy to justify for designation or protection within the planning system. **Other types of site**, perhaps because of location or constructional characteristics, are less obvious, particularly to the non-specialist, and consequently present challenges in terms of presentation and justification for designation or adequate consideration in the planning process. However, it goes without saying, that an adequate understanding of the Roman, or any, period is predicated on adequate knowledge of the fullest possible suite of site types etc, as is the creation of an adequate and representative body of statutorily protected sites.*

The third reference is to the research objective:

*RM 1:*

- 1. Identification of sites/components of Roman period sites that are under-represented in the archaeological record.*
- Identification of site components, eg in Roman towns, that are under-represented*

Turning to the use of 'suburbs' the Research Strategy states

*RM1*

- 2. Roman period suburbs and cemeteries*
  - Assessment of the resource and its significance and vulnerability*

The research objective RM1 is intended to indicate which projects Historic England would support with research funds and they are explicitly "*informed by relevant regional and other research frameworks*" (Sec 4, page 13).

RM1 (2) sets out the process of assessment which has been undertaken at South Caldecott.

In other contexts the Research Strategy refers to the vulnerability of suburbs [3] in the particular circumstance where "*piecemeal development ... threatens adequate understanding due to the often disjointed and small-scale nature of archaeological mitigation required under planning legislation*".

The relevance of these research priorities are that they identify the vulnerability of suburbs to misinterpretation in particular circumstances and have resulted in (amongst others) support for the project led by Prof Fulford initially titled '*Assessing the Research Potential of Grey Literature in the Study of*



*Roman England*'.<sup>12</sup> One of the outputs from this project was the 2015 volume, *The towns of Roman Britain - the contribution of commercial archaeology since 1990, Britannia Monograph Series no 27. Edited by Michael Fulford and Neil Holbrook* which is cited in the Supplementary HA para 2.51.

## Conclusion

In conclusion the points above indicate that the proposed application has been informed by an assessment and evaluation strategy agreed and approved by the local authority. This has identified a Roman street through a quarried area with later enclosures leading to fields beyond a small brook on the periphery of the Roman small town of Magiovinium.

The archaeology has been identified as regional and local in significance based on the results of the evaluation, comparison with adjacent excavations and of current research priorities. The evaluation has produced results comparable to those of the excavations also on the east side of the Roman small-town during construction of the A5 in 1978-80. Relevant to the character of the evidence recovered by the recent evaluation the earlier excavations were described by the excavator as in an area which was *"outside the town, occupation consisting of buildings fronting Watling Street and field systems aligned with the fort; the structures are industrial - smithies servicing road traffic . Barns and many horse bones in the enclosure ditches indicate the proximity of stabling and knacker's yards..."*<sup>13</sup> This image is not dissimilar to the that portrayed in Fig 4 of the trial trench evaluation (Burke 2018)<sup>14</sup> in which enclosures flank a Roman period street. The evaluation is further from the Roman town (SAM) than Neale's excavation and seems to have recovered rather more evidence for quarrying during the earliest period of Roman activity which may relate to the construction of the original A5.

In light of the information provide above it remains the developer's case that archaeology at the allocated site SD 14 is of regional and local significance, that national and regional criteria have been cited in determining its significance together with relevant nearby investigations and that the justification for further investigation lies with the implementation of policy, economic development and employment.

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<sup>12</sup> See Smith A, Allen M, Brindle T, Fulford M 2016, *The Rural Settlement of Roman Britain*, Britannia Monograph xix

<sup>13</sup> Neale 1987 Excavations at Magiovinium, Buckinghamshire 1978-80, *Records of Buckinghamshire* Vol 29, 1 Summary

<sup>14</sup> Burke J 2018 Archaeological trial trench evaluation on land at South Caldecott Milton Keynes Buckinghamshire October 2018 (EMK 1365; AYBCM:2018.106)