

## DEVELOPMENT MANAGEMENT CONSULTATION

Town and Country Planning Act 1990 (As Amended)  
Town and Country Planning (General Procedure) Order 1995

From: N Crank, Snr Archaeological Officer

Our Ref: 19/01818/OUT

**Application no: 19/01818/OUT**

**Proposal: Outline application including access for the development of the site for employment uses, comprising of warehousing and distribution (Use Class B8) floorspace (including mezzanine floors) with ancillary B1a office space, general industrial (Use Class B2) floorspace (including mezzanine floors) with ancillary B1a office space, a small standalone office (Use Class B1) and small café (Use Class A3) to serve the development; car and HGV parking areas, with earthworks, drainage and attenuation features and other associated infrastructure, a new primary access off Brickhill Street, alterations to Brickhill Street and provision of Grid Road reserve to Brickhill Street with appearance, landscaping, layout and scale to be determined as reserved matters.**

**At: Land At Brickhill Street, South Caldecotte, Milton Keynes, MK17 9FE,**

**PLEASE COMPLETE THE BELOW FORM AND RETURN TO:**

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### CONSULTEE ADVICE

Based on the information provided (please tick one):

Objection

### RELEVANT POLICY

**NPPF in particular 189-198**

**Plan:MK Policy: HE1:**

**Plan:MK Policy SD1 (19):** Development should ensure consideration is given to the historic environment in accordance with HE1.

**Plan:MK Policy SD14 (6) & (9):**

**6.** Building heights should be informed by the Landscape and Visual Impact Assessment (LVIA) and **should avoid unacceptable impact on the wider landscape and heritage assets.**

**9.** 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

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a field investigation to understand the archaeological potential and significance of this site **and to inform the layout of development.**

### KEY CONSIDERATIONS

1. Impact on significant buried archaeological remains including a Roman street (c.250m in length) and adjacent areas of urban settlement (buildings) forming part of the Roman town of Magiovinium.
2. Impact on setting of nearby Scheduled Monument (SAM) of Magiovinium, a designated heritage asset of national significance.
3. Impact on historic landscape through loss of areas of ridge and furrow earthworks.
4. Heritage Assessment is unsatisfactory and lacks clear statement of significance.
5. No justification for loss of or harm to heritage assets of archaeological interest or consideration of alternative forms of mitigation e.g. by retention within and amended layout.

### CONSULTEE ASSESSMENT

#### Heritage Assets

The staged evaluation and assessment of this site commenced in 2015 with the production of the desk based assessment which identified the potential for the presence of extensive and significant archaeological remains related to the nearby scheduled Roman town of Magiovinium, named in the 3rd century Antonine itinerary and the only defended Roman town in Buckinghamshire.

The subsequent geophysical survey and trial trench evaluation has confirmed the presence of archaeological remains dating from the Iron Age to post-Medieval period. Of particular significance are the remains of a Roman street (c.250m in length) and adjacent areas of urban settlement associated with, or forming part of, the Roman town of Magiovinium located in the southern part of the site.

This buried archaeology survives particularly well in the pasture fields in the south of the site where it is overlain by a substantial area of well-defined ridge and furrow earthworks representing part of the former medieval open fields of Bow Brickhill parish. This indicates that, unlike the majority of the nearby SAM, this area of the Roman town has not been subject to potentially damaging modern ploughing. It should also be noted that a considerable swathe of this part of the site is recorded as MG5 grassland a dwindling class of lowland meadow that often contains significant ancient earthworks such as ridge and furrow (Natural England TIN147, 2013). Further well-defined and significant ridge and furrow earthworks are found in the two southernmost fields of the site (Woburn land).

No assessment of the significance of these buried remains is provided in the trial trenching report, though it is noted in the discussion that:

1. The remains date from the 1<sup>st</sup> to the 3<sup>rd</sup> centuries AD with indications of underlying Iron Age activity.
2. There is evidence for substantial buildings including some with tiled roofs.
3. High status pottery is present including decorated samian wares, as well as indications of pottery kilns, iron working and other craft activities.

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### Assessment

#### *Buried Archaeological Remains*

The submitted Written Scheme of investigation for Earthwork Recording and Archaeological Evaluation (WSI) provides some assessment of the significance of the archaeological remains, using accepted Historic England heritage values, but not clearly stating the levels of significance used or their wider context. It is usual to use a 5 point scale (International significance to Negligible) when assessing the relative significance of heritage assets (e.g. in table 3 of the DBA) rather than a 3 point scale as used in the WSI. The assessment also misinterprets the meaning and application of Historical and Aesthetic value in this context.

In common with most archaeological sites the primary value is evidential, in its potential to hold evidence of past human activity that could be revealed through investigation. Here it is noted in the WSI that the evidential value of the site is being eroded by illegal metal detecting. This is clearly a matter for the landowner to address (I would be happy to discuss/advise on options) and not relevant in a planning context. As NPPF states:

191. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

A very brief consideration of the archaeology against the criteria for scheduling (designation) then follows in the WSI. This either omits or fails to consider 4 of the 8 criteria usually assessed: Period; rarity; survival/condition; archaeological potential; documentation; diversity; fragility and group value (DCMS 2013). These and more specific criteria are also set out in the relevant Historic England Scheduling Selection Guide: 'Settlement Sites to 1500' (HE 2018); Which has not been referenced or used in this case, but clearly states that:

"Where they retain reasonable archaeological potential, Roman settlement sites will be deemed to have national importance." (p.26)

These omissions and the lack of detailed discussion or comparison to similar sites undermine the conclusion that the archaeology is not of schedulable quality. Though it is acknowledged to be 'important'. It is also unclear from the WSI what the precise status of the archaeology should be regarded as e.g. does 'moderate' equate to regional significance?

The WSI assessment also overstates the impact of the ridge and furrow on the underlying archaeology stating that floors and other surfaces will not survive, though there is no evidence for this assertion and it is noted that the Roman street surface was quite intact in Trenches 8, 85 and 91. Similarly, the potential for waterlogged archaeological deposits cannot be ruled out, as a number of features were not fully excavated due to health and safety concerns over depth. It should also not be overlooked that an active watercourse crosses the area of most significant archaeology.

#### *Ridge and Furrow Earthworks*

With regard to the areas of surviving ridge and furrow, the WSI seeks to use the lack of inclusion of these specific features in the large scale and long term (2000 to 2012) regional study 'Turning the Plough' to write off their significance. The purpose of this study was to map the loss of this increasingly scarce but historically significant land form by examining a sample of the larger blocks of ridge and furrow over a period of years. It was not intended to be used as justification for

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the destruction of areas that fall outside of the sample sites. It is also suggested (on the basis of an aerial photograph) that the ridge and furrow is 'faint' when it is in fact well preserved as a site visit or check of LiDAR imagery confirms. The extent of the earthworks is also incorrect in the WSI with a field of well-defined earthworks being omitted from the proposed area of recording (Woburn land).

### *Setting of Scheduled Monument (SAM)*

With regard to the setting of the scheduled monument (Magiovinium), this is assessed briefly in the LVIA where it is acknowledged that the site is located in the immediate setting of the SAM. A single viewpoint is illustrated, but no wireframe is presented from this viewpoint to illustrate how the proposed large warehouses will change the views from the scheduled monument. The documents produced by the applicant's archaeological consultants do not appear to consider the likely impacts on the setting of this designated heritage asset at all.

### **Justification for loss of Heritage Assets / Proposed Mitigation**

The documents submitted by the applicant's archaeological consultants do not provide any discussion of the magnitude of the effects of the development on the archaeological remains within the site or on the setting of the SAM, though it is clear from the WSI that the proposed development will result in the complete destruction of heritage assets within the site.

The submitted Design & Access Statement lists the archaeological interest under 'Development Influences' (4.11) and suggests that the proposed mitigation will 'offset' the effects of the development quoting NPPF 197/198. It should be noted that NPPF does not recognise 'offsetting' with regard to loss of heritage assets, but instead notes (NPPF 199) that: The ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted. This is also supported by Plan:MK policy HE1 (j).

The application contains no clear justification for the loss of heritage assets and fails to explain why the more significant areas of buried archaeological remains (in particular the Roman street and adjacent areas of Roman urban settlement) may not be protected and retained within the development layout. Contrary to Plan:MK Policy SD14 (9) the archaeological constraints have not informed the layout of the development. It is also unclear how the proposal has taken into account Plan:MK Policy SD14 (6) in relation to proposed building heights and the impact on the setting of the SAM.

The lack of a clear and convincing assessment of the significance of the affected heritage assets (in particular the uncertainty regarding the status of archaeological remains associated with the Roman town of Magiovinium) coupled with the lack of any justification for the loss of these remains or attempt to minimise or avoid harm (e.g. through a revised layout) makes it difficult to support this proposal in its current form.

**PTO, continues:**

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### RECOMMENDATION

Refuse, due to:

1. Unacceptable impacts on designated and non-designated heritage assets of archaeological and historical interest. (NPPF 189 – 198; Plan:MK Policy HE1; Policy SD1 (19); Policy SD14 (6) & (9).
2. Lack of an impartial and objective Heritage Assessment (statement of significance) (NPPF 189; Plan:MK Policy HE1; Policy SD1 (19); Policy SD14 (6) & (9)).

Finally, it should be noted that, in my view, it should be possible to produce a scheme for this allocated site incorporating an amended layout that takes a proper and balanced account of the effects on the significance of the heritage assets and seeks to sustain and enhance their significance in line with both national and local policy.

Date response sent:	30 <sup>th</sup> August 2019
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