Archaeology SoCG-

Project: South Caldecotte JAC 23815

PINS Ref: APP/Y0345/W/20/3251121

## Archaeology Statement of Common Ground (SoCG) for the Appeal

Between:

For the Appellant

Dr Michael Dawson MCI*f*A, FSA

Director, RPS Heritage

For Milton Keynes Council

Mr Nicholas A Crank BSc MCI*f*A

Senior Archaeological Officer

Agreed, NAC 03-07-2020

Date: 3rd July 2020

#### Appeal Scheme

This subject based section will form an appendix to the Statement of Common Ground (SoCG) as now agreed by the parties. This section of the SoCG relates to archaeology matters in connection with the appeal proposal (the Scheme), refused on 26/02/2020 by Milton Keynes Council (MKC) which is the Local Planning Authority (LPA) in respect of Outline Application ref. 19/01818/OUT. This SoCG sets out the position and identifies where there is agreement and disagreement between both parties.

It is hereby AGREED that

#### Reason for Refusal:

1. The reason for Refusal in relation to archaeology (“the Archaeology RfR) was that:

The proposal, by reason of the total loss of non-designated heritage assets of archaeological interest, failure to ensure that consideration is given to the historic environment in informing the site layout and the quantum of development and failure to demonstrate that the benefits of the development clearly outweigh the harm, taking into account the assets significance and importance, would be unacceptable contrary to NPPF policy 197 and Plan:MK policies HE1 (F), SD1 (A19) and SD14 (C9).

1. The Archaeology RfR subdivides into three key elements:
* The total loss of non-designated heritage assets of archaeological interest,
* Failure to ensure that consideration is given to the historic environment in informing the site layout and proposed quantum of development
* Failure to demonstrate that the benefits of the development clearly outweigh the harm

#### Heritage Designations

1. The site itself is not subject to any statutory designations related to heritage assets including archaeology.
2. The Archaeology RfR is limited to the effect on below ground non-designated heritage assets of archaeological interest.

#### The Spatial Extent of the Evidence

1. The Archaeology RfR relates only to the below ground evidence of Roman period activity within Unwin’s Land at South Caldecotte (Fig 1 Area 2)
2. The Archaeology RfR does not relate to the impact on the setting of the Scheduled Ancient Monument of Magiovinium
3. The Archaeology RfR does not relate to the impact on archaeology within land owned by Norman or the Woburn Estate (Fig 1 Areas 1, 4, & 5)
4. The Archaeology RfR does not relate to the impact on ridge and furrow earthworks (Fig 1 Area 3)

#### Significance of the Evidence

1. There is a difference of opinion as to whether the archaeological interest of the Roman period activity within Unwin’s Land at South Caldecotte (Fig 1 Area 2) is of ‘local or possibly regional importance’ (ES) and whether the evidence is “at the higher end of regional significance and may be of equivalent significance to the scheduled monument” (MKC Senior Archaeological Officer 21st January 2020). The level of significance is important when assessing harm. If the archaeology is agreed to be of local significance the impact of development will be lower than if it were of regional significance or national significance for the purposes of the balancing judgement required under NPPF para 197.

#### Assessment and Evaluation

1. The survey and assessments in regard to the archaeology produced by MOLA – Desk-Based Assessment, Geophysical Survey and Trial Trench Evaluation are appropriate and satisfactory.[[1]](#footnote-1)

#### Statutory consultees

1. The LPA consulted Historic England in relation to the proposal. Historic England objected to the proposal due to the impact on the non-designated archaeological remains within the development site. The Historic England consultation response stated that with regard to the undesignated archaeological remains within the development site, these are of high significance and may be of national significance
2. Historic England expressed the view that the development would result in some harm to the heritage significance of Magiovinium (a Scheduled Monument not with the Site). The impact on the setting of Magiovinium does not form part of the Archaeology RfR.*[[2]](#footnote-2)*

## The Appeal Process

1. In the event that the appeal is allowed, steps that should be taken to properly record the archaeology have been set out in a Written Scheme of Investigation submitted with planning application 19/01818/OUT (Written Scheme of Investigation for Earthwork Recording and Archaeological Excavation. Land at South Caldecott, Milton Keynes, June 2019 CgMs report JAC 23815). A planning condition can be imposed to secure this.
2. It is agreed that there is sufficient information now available to enable a proper judgment to be formed for the purpose of the appeal. Desk Based Assessment, Geophysical Survey and Trial Trenching have been provided in agreement with the local authority
1. Burke J 2018 Archaeological trial trench evaluation on land at South Caldecott Milton Keynes Buckinghamshire October 2018 (EMK 1365; AYBCM:2018.106); Crowther M E 2015 Archaeological Desk Based Assessment of land at Bow Brickhill, Milton Keynes, Oct 2015, MOLA Rep15/151; Walford J, Meadow A, 2018 Archaeological Geophysical Survey on Land Alongside V10 Brickhill Street, Caldecotte, Milton Keynes Dec 2017-March 2018, MOLA Rep 18/51 [↑](#footnote-ref-1)
2. David Wilkinson, *ex litt* 9th Jan 2020 to David Buckley MKDC P01092270 Historic England noted “that there will be some harm to the significance of the scheduled monument as contributed to by its setting. This will be less than substantial harm. There is no formal scale for less than substantial harm but in this case it would certainly be at the lower end.” [↑](#footnote-ref-2)