

Archaeology

1 INTRODUCTION

- 1.1 This Note is one of a series of Supplementary Planning Guidance Notes (SPGs), amplifying the development plan policies and other issues in a clear and concise format with the aim of improving the design and quality of new development. The Notes are intended to offer broad guidance which will assist members of the public and officers in discussions prior to the submission of planning applications and assist officers in handling and members in determining planning applications.

2 STATUS AND STAGES IN PREPARATION

- 2.1 The Council's SPG Notes are not part of the adopted plan. However, they have been the subject of both a formal Council resolution and public consultation. The Welsh Assembly Government (The Assembly) has confirmed that following public consultation and subsequent Local Planning Authority (LPAs) approval, SPG can be treated as a material planning consideration when LPAs, Planning Inspectors and the Assembly determine planning applications and appeals. This Note was approved by Full Council on June 3rd 2003 for use in development control. A statement of the consultation undertaken, the representations received and the Council's response to these representations is available on request.
- 2.2 These Notes have been prepared in accordance with guidance contained in Planning Policy Wales; Unitary Development Plans (Wales); Technical Advice Notes.

3 BACKGROUND

- 3.1 Denbighshire contains an extremely rich resource of archaeological and historic features. In an area such as this there is nowhere which has been unaffected by human influence at some time. The County holds, jointly with the Clwyd-Powys Archaeological Trust, a database, the Sites and Monuments Record, of all known archaeological sites in the County. Access to this record is available. Much information about the County's archaeology is unknown, still preserved beneath our countryside, towns and villages. This archaeological resource is finite and vulnerable to damage and change. Recent work has identified a series of important Historic Parks and Gardens within Denbighshire and the area of the Vale of Clwyd and the western slopes of the Clwydian Hills have been identified as an Historic Landscape.

4 PLANNING POLICY

- 4.1 In 1991 Planning Guidance (PPG16) was introduced in Wales relating particularly to Archaeology. This recognised the importance and finite nature of archaeology and accepted that archaeological considerations played a material role in the planning process. This legislation was superseded in 2002 by Planning Policy (Wales) and the associated Welsh Office Circular 60/96. This guidance note acts as a supplement to the Adopted Unitary Development Plan Policies relating to archaeology.

5 SCHEDULED ANCIENT MONUMENTS

- 5.1 Amongst those sites listed on the Sites and Monuments Record are some which are scheduled. A site can be scheduled under the terms of the Ancient Monuments and Archaeological Areas Act 1979 as being of National importance. Scheduling confers a degree of protection. Any work which affects the scheduled site or its setting requires consent from Cadw: Welsh Historic Monuments, who hold the schedule. Scheduled Monument Consent is separate from planning permission. The granting of planning permission does not confer scheduled monument consent nor vice versa. For a site which is both scheduled and listed, scheduled monument legislation takes precedence. In most cases the planning authority would expect a planning application which affects a scheduled monument to be accompanied by the necessary scheduled monument consent agreement from Cadw. In certain circumstances Cadw: Welsh Historic Monuments will enter into Management Agreements with owners of scheduled ancient monuments in order to better safeguard their future.

6 PLANNING APPLICATIONS

- 6.1 *The desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application whether that monument is scheduled or unscheduled (Welsh Office Circular 60/96).* Applicants should take into account archaeological considerations and should discuss preliminary plans with the planning authority at an early stage. The first step is to consult the local Sites and Monuments Record. This will provide information about where archaeological remains are known or thought likely to exist and will provide an early warning of the archaeological sensitivity of a site. As a result of this applicants may wish to commission their own archaeological assessment. This normally involves desk-based evaluation of existing information. In some instances a formal Environmental Assessment, which includes archaeological assessment, will be a requirement.
- 6.2 Where such early discussions and research relating to an application indicate that important archaeological remains may exist Denbighshire Planning Authority will request the prospective developer to arrange for a field evaluation to be carried out at their own expense before any decision on the planning application is taken. Such an evaluation, based on a brief drawn up by the County Archaeologist, is normally a rapid operation which involves ground survey and/or small-scale trial trenching, carried out by a professionally qualified archaeological organisation or archaeologist. Work such as this helps to define the character and extent of any archaeological remains which exist in the application area, the weight which ought to be attached to their preservation and potential options for avoiding or minimising damage.
- 6.3 Local planning authorities will expect the results of such archaeological appraisals, assessments and evaluations to be submitted as part of the planning application.
- 6.4 Should planning applications be made without previous discussions with the Authority and it is identified that the application will have or is likely to have archaeological implications, the applicant will be asked to provide more details relating to the scheme - for example relating to foundations - or they may be asked to carry out an evaluation based on a brief drawn up by Denbighshire's Archaeologist, before the application can be considered. Once again, in this way, an informed decision can be made relating to the planning application.
- 6.5 Once sufficient information has been gathered by a variety of means ranging from desk-top studies, through field survey to trial trenching the Authority is in a position to determine the application.
- 6.6 Where Nationally important archaeological remains and their settings, whether scheduled or not, are affected by development there is a presumption in favour of preservation of the remains in situ. In some circumstances it may be possible to preserve remains by the use of sympathetic designs.
- 6.7 There will be occasions where the Planning Authority may decide that the significance of the archaeological remains is not sufficient to justify preservation in situ. In such cases Denbighshire will need to satisfy themselves that the applicant has made adequate arrangements for the excavation and recording or other investigation of the archaeological remains and the publication of the results. In many instances planning permission will be granted with associated conditions which provide for several situations from the recording by complete excavation through to a watching brief carried out during ground disturbance. These works are carried out at the developer's expense.
- 6.8 The above process and advice is hoped to minimise the occasions when totally unexpected archaeological problems arise during the course of development work. However there will be times when remains are only located once development has started. In most cases it will be possible to resolve issues through voluntary discussion, however developers may wish to consider insuring themselves against the risk of loss whilst safeguarding the interest of unexpectedly discovered historic or archaeological remains.

7 FURTHER INFORMATION

- 7.1 Welsh Office Circular 60/96 and The Ancient Monument and Archaeological Areas Act 1979.
- 7.2 For advice and guidance relating to archaeology applicants are strongly advised to contact the County Archaeologist or alternatively the Clwyd-Powys Archaeological Trust prior to submitting an application. Information relating to Scheduled sites can also be obtained from Cadw: Welsh Historic Monuments, Crown Building, Cathays Park, Cardiff, CF1 3NQ.

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Further Contacts

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Planning & Public Protection Services can also be contacted by e-mail dcc_planning@denbighshire.gov.uk
The Building Control North and South Area Teams can also be contacted at the above.