

# **SUPPLEMENTARY PLANNING DOCUMENT**

## **ARCHAEOLOGY & DEVELOPMENT : MAY 2007**

### **INTRODUCTION**

To achieve its Vision for the long-term future and well-being of the City, the Council will:

*“build on the heritage, cultural and economic strengths of Newcastle and the sense of identity and civic pride of our people. “*

NCC Corporate Vision, Nov. 2005

The aim of this Supplementary Planning Document (SPD) is to define the practical measures that the Council will employ to ensure that the historic fabric of the City is preserved for the benefit of future generations during the process of regeneration that is so vital for the continuing prosperity of the City. It deals with all archaeological remains which fall within the planning powers of the Local Authority, both in the City Centre and from the suburban and rural hinterland.

The purpose of this Supplementary Planning Document is threefold:-

- to explain why the archaeological remains are important
- to indicate where important deposits might be expected to be encountered
- to explain how archaeological issues will be dealt with within the Planning Process, in relation to existing national statutory framework.

In addition to this policy document, a Sustainability Appraisal and Statement of Community involvement have also been drawn-up, to meet the terms of the Town and Country Planning (Local Development) (England) Regulations 2004.

### **THE HISTORICAL IMPORTANCE OF NEWCASTLE**

For over two thousand years, there have been communities living and working on the north bank of the River Tyne, creating and sustaining a rich and diverse social, commercial and cultural life. Newcastle has historically been a place of great military and political importance, periodically taking centre-stage during the great events that shaped the history of the north. Its development can be summarised as follows:-

1. Prehistoric settlement and river crossing
2. Roman Imperial frontier and military base
3. Anglo-Saxon religious and funerary site
4. Norman frontier stronghold
5. Regional capital
6. Major European port
7. Early Industrial giant

Each of these episodes has left physical traces within, and beneath the modern landscape. The history of the surrounding hinterland has been greatly affected by the presence of the military and commercial centre, and an understanding of the development of infrastructure and service industries that supplied the town, and later city, compliments our knowledge of the growth of the urban centre itself. Apart from being intrinsically valuable, the City's physical heritage has practical benefits. A vibrant historic environment will:

- re-enforce the city's identity
- create a sense of belonging and community
- add value to commercial investment
- provide interest & entertainment
- enhance tourism
- stimulate education

Where ever possible, the policies described in this Planning Document will further national objectives of social justice, inclusion, accessibility, sustainability and educational value. It will emphasize the need for careful information gathering and early consultation, assist applicants on the likely course of any development that may encounter archaeological remains, and encourage the promotion of Newcastle built and buried heritage by encouraging developers, public bodies and individuals to work with the City Council during the regeneration of the City and its periphery.

### **THE STATUS OF THE SPD *ARCHAEOLOGY & DEVELOPMENT***

Within the overall policy framework for Newcastle, described in the consultation document “Local Development Scheme” Feb 2005, archaeological issues are covered by the following main policy strands;

**The Core Strategy** for the contextual framework on Design and the Historic Environment as well as protection of the environment and sustainable development.

The **Area Action Plans**, (Walker Riverside; Scotswood Benwell; and particularly the City Centre AAP) for the policies needed to encourage and deliver the right kind of development in particular parts of the City’s historic environment

**Development Control Policies** for the general raft of policies that resolve potential conflicts between development and conservation. Initially, the present UPD Policies for the Historic Environment will continue until the new DCPs are formulated and adopted.

**Site Specific Land Allocations DPD** setting out proposed land uses for the city outside the Area Action Plans.

This SPD complements and explains the implementation of these policy strands. The SPD will set out the City’s ethos to the way historic fabric and archaeological remains are integrated into City-led or partnered strategic re-development and its approach to Planning Application that have the potential to have a material impact on archaeological remains. It has been prepared under the auspices of PPS12 (Local Development Frameworks) – 2004 and the related Town & Country Planning (Local Development) (England) Regulations - 2004.

### **THE EXISTING STATUTORY FRAMEWORK**

The management of archaeological sites and deposits, both known and suspected, is achieved through a number of different measures of advisory and statutory status. These operate at an international level for the most important sites, on a national level for sites under the protection of national law (Scheduled Ancient Monuments) and at a local level for the vast majority of archaeological sites and monuments thought to be of lesser (local or regional) importance (see Appendix 1).

### **The Valetta Convention**

Ratified by the UK Government in 2000, the Valetta Convention on the Protection of the Archaeological Heritage (1992) binds compliant states to a series of measures aimed at enhancing the conservation and appreciation of archaeological remains. Specifically, the Convention recommends the maintenance of inventories of cultural remains (Article 2i), the desirability of achieving preservation *in situ* of important remains (Article 4ii), the need to include archaeologist in planning decisions (Article 5i) and the importance of ensuring the full scientific study and publication of material produced as a result of development (Article 5v).

### **UNESCO World Heritage Sites**

Like London, Bath, York, and Durham, Newcastle has the archaeological remains and setting envelope of a UNESCO World Heritage Site within the urban core. There are currently 830 World Heritage Sites in 138 States Parties. Some 644 are cultural sites, 162 are natural and 24 are mixed. Inclusion in the World Heritage List is at present essentially honorific and leaves the existing rights and obligations of owners, occupiers and planning authorities unaffected. A prerequisite for World Heritage Site status is, nevertheless, the existence of effective legal protection and the establishment or firm prospect of management plans agreed with site owners to ensure each site's conservation and presentation. The Hadrian's Wall Management Plan 2002-7 is the agreed vehicle for drawing together a number of partners to achieve agreed aims and programmes of work, and has sections dealing with Protecting, Conserving, Using & Enjoying & Managing the monument to balancing the sometimes conflicting priorities. The Management Plan shares many of the overarching aims and aspirations of this document.

Hadrian's Wall represents the most substantial and complete Imperial Frontier anywhere within the Roman Empire. It forms part of the *Frontiers of the Roman Empire Transnational World Heritage Site*, the first such multi-national designation, presently consisting of Hadrian's Wall and the Upper Raetian German *Limes*, and soon to be joined to the new Antonine Wall designation.

### **Scheduled Ancient Monuments**

The most important archaeological sites in England are listed and protected under the terms of the *Ancient Monuments and Archaeological Areas Act*,

1979. Consent is required from the Department of Culture, Media and Sport (who act on the advice of English Heritage) for any works carried out on or in the vicinity of a Scheduled site. The Act provides a detailed definition of the types of site (Monuments) covered, and explains what types of operation are prescribed as requiring consent. Class consents deal with issues like routine agricultural operations and work needed for Health and Safety reasons. The main criteria for designation is national importance. There are a number of Scheduled Ancient Monument in the town centre;

Hadrian's Wall (SAM County No 28,)	The Town Wall (T&W 21)
The Castle Garth(T&W 20)	The land arches of the Medieval Bridge (T&W 30)
The Blackfriars (T&W 40)	The Swing Bridge (T&W 5).

and further sites in the surrounding suburbs and countryside;

St Mary's Well, Jesmond (32045)	Low Gosforth Chapel (32056)
St Mary's Chapel, Jesmond (32046)	Gardiners Houses Enclosure (T&W 25)
The Camera of Adam of Jesmond (32047)	Hazlerigg Enclosures (34619)
Salters Bridge, Gosforth (T&W 29)	Dewley Pit Coal Workings (30923)

Any proposals for works that change or might result in change to a Scheduled Ancient Monument should first be discussed with English Heritage (address in Appendix 2). There are proposals to alter this situation and give Local authorities a greater role in managing SAMs as part of the DCMS 's wide-ranging review of Designation in the Historic Environment but at present (2006) these plans are at an early stage.

There are a number of monuments which merit Scheduling but which have yet to be considered, and there are areas of important archaeological deposits which might be expected to contain the remains of structures which would merit scheduling. PPG 16 recognises that some nationally-important archaeological remains remain unscheduled. This is especially true of archaeological remains beneath modern urban centres. Scheduling is not a suitable mechanism for managing buried urban archaeological remains generally, and the planning process offers the best vehicle for such management. It cannot be assumed, therefore, that Scheduling is a direct measure of the importance, rarity or fragility, of archaeological monuments and remains.

### **Listed Buildings and Conservation Areas**

Those archaeological monuments which incorporate substantial above-ground fabric and are deemed to contribute to the quality of the built environment can be listed under the terms of the Planning (Listed Buildings and Conservation Areas) Act 1990. These enhance the powers of the Local Planning Authority and can indirectly preserve buried deposits by preventing development which would be permitted elsewhere. Any alteration to a Listed Building must not harm the special character of the building. Detailed advice on the implementation of Listed building legislation is given in the relevant Planning policy guidance, PPG 15. The details of the protection For further information on Newcastle's numerous listed buildings, contact Newcastle City Council, Department of Planning and Transportation.

### **National and Regional Planning Guidance**

#### *Planning Policy Guidance Note 16*

Published in Nov 1990, and now the oldest of the Planning Policy Guidance currently in force, it has formed the basis for the advice to Local Authorities and developers on how archaeological remains are to be treated during re-development. After describing the importance of archaeological remains, it states:

“With the many demands of modern Society, it is not always feasible to save all archaeological remains. The key question is where and how to strike the right balance **Where nationally important archaeological remains, whether scheduled or not, and their settings, are affected by proposed development there should be a presumption in favour of their physical preservation.** Cases involving archaeological remains of lesser importance will be not always be so clear cut and planning authorities will need to weigh the relative importance of archaeology against other factors including the need for the proposed redevelopment..” (PPG 16, para 8).

The process of acquiring the necessary information to assist the Planning Authority to reach decisions regarding developments impacting on archaeological remains is described in Section B “ADVICE ON THE HANDLING OF ARCHAEOLOGICAL MATTERS IN THE PLANNING PROCESS”. The importance of early consultation is stressed, as is the need to commission Desk-Based Assessments and Field Evaluations in advance of decisions:

“Local planning authorities can expect developers to provide the results of such assessments and evaluations as part of their application for sites where there is good reason to believe there are remains of archaeological importance” (PPG 16, para 22).

Where a development is granted permission to progress, the use of negative conditions to mitigate the adverse impact of any destructive works associated with the development is described in Section 29. A model condition is suggested:

**“No development will take place within the area indicated (this would be the area of archaeological interest) until the applicant has secured the implementation of a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority”**

PPG 16 is also important in advocating the need for full, academic publication of archaeological fieldwork done in advance of redevelopment.

#### **The City’s Development Plan.**

At present this comprises two elements: a) Regional Spatial Strategy, currently RPG1 Regional Planning Guidance for the North East to 2016; and b) the Unitary Development Plan. Eventually these will be superseded following finalization of emerging new plans: a) “View” Regional Spatial Strategy (to 2021); and b) complete adoption of the Local Development Framework (see above).

#### *Regional Spatial Strategy*

Regional Planning Guidance for the North East, (RPG1) was published by the Deputy Prime Minister in 2002 to supersede the two existing strategic planning guidance notes for the North East: *RPG1: Strategic Guidance for Tyne and Wear* (1989) and *RPG7: Regional Planning Guidance for the Northern Region* (1993). It covers the period to 2016 and forms an overarching policy framework for all Local Authority planning documents.

RPG1 states that: “the renaissance of the Tyne, Wear and Tees conurbations” is one of its key themes, and acknowledges that

*The region’s natural and historical environment is recognised as one of the key assets of the region. Maintaining and enhancing the environment should be integral considerations in decisions on development by:*

- *according appropriate protection to designated areas and species*
- *supporting initiatives to improve the environment; and seeking positive gains to the environment and biodiversity through development.*

*In addition to the natural environment, the region also possesses an outstanding historic built heritage that should also be protected and enhanced.*

Regional Planning Guidance for the North East (RPG1) Executive Summary, p4

The Policy Section on *Conservation of the Cultural Heritage* states:

*Section 2.42* The region has an outstanding historic heritage with many areas of national and international significance including the two world heritage sites at Durham Cathedral & Castle and Hadrian's Wall. There is a multitude of Conservation Areas, Buildings of Architectural and Historic Interest, Scheduled Ancient Monuments, Historic Battlefields, Historic Parks and Gardens and other non-scheduled archaeological sites throughout the North East.

*2.43* This heritage is an important environmental, educational, economic and cultural resource for the region. The priorities are:

- to support investment to ensure that it is properly conserved, recorded, understood and, where appropriate, interpreted; and
- to support the preparation of Management Plans, area-based funding programmes such as Conservation Area Partnerships Schemes and Heritage Economic Regeneration Schemes, and individual heritage restoration projects to conserve and restore the region's historic heritage as an integral part of its future development."

Regional Planning Guidance for the North East (RPG1) Executive Summary, p33

### **"View" Shaping the North East: Submission Spatial Strategy 2005**

The draft Spatial Strategy outlines a number of policies relating to sustainable development and conservation that are of relevance to this SPD. These are listed in Appendix 1.



### THE SURVIVAL OF ARCHAEOLOGICAL REMAINS IN NEWCASTLE

#### 1 The City Centre

Unlike many historic urban centres, Newcastle has not experienced protracted periods of economic and social stagnation. Indeed, Newcastle has been identified as one of the few English medieval towns not demonstrating evidence of so-called “late medieval urban decline”. A long period of continuous economic growth was achieved by the efforts of Newcastle’s mercantile and governing classes (often the same people) in successfully surviving the difficult transition from medieval agricultural trading to post-medieval industrial manufacturing, a transformation which proved beyond many ancient boroughs and ports. The need for the town and, after 1882, city, to periodically renew its economic base and the impact on the medieval fabric of specific episodes of wholesale urban re-generation in the 1830-40s and the 1960-70s, have led to the perception today of the town as an “industrial” rather than an “historical” centre.

As a consequence of its economic history, the city now has fewer major historical monuments and a lower surviving percentage of archaeological deposits than any other large medieval town in Britain. Certain categories of archaeological remains are almost totally absent, particularly those, like the Medieval Suburbs, on the fringe of the medieval town where Victorian commercial and industrial areas were in decay in the early 1960s. The 1963 *Review of the Development Plan* set the tone for the following generation of regeneration schemes, with the urban core being designated as a Comprehensive Development Area, the name revealing the “clean-slate” ethos of much of the new Planning.

With the benefit of the Planning Department’s computerised record system, the **Newcastle Urban Record**, it is possible to improve the definition of *Potential and Known Interest* across the historic town centre, using testable criteria and definitions. This is achieved by documenting all important sources of archaeological information and mapping them as accurately as possible on to the modern townscape. Our evolving understanding of the archaeology of the district develops within the wider research framework described by the North East Regional Research Framework.

#### ***The Prehistoric Period***

Scant remains exist from the period before the Roman Occupation. The importance of the Tyne as a communication route, as a place of ceremonial object deposition and possibly as a tribal territorial boundary, is reflected in the number of high-value bronze and iron objects, mostly weaponry, that have been recovered during dredging and bridge-building.

Away from the river banks, permanent settlement is known from only one site, excavated in 2004, and the location, adjacent to Pilgrim Street, may reflect the antiquity of what later became the Great North Road.

#### *The Roman Period*

The character of the Roman settlement of *Pons Aelius* has been a subject of discussion from the time of the first historical speculations and still remains unclear. Deposits may survive from the three main elements of Roman occupation on the Tyne; the Imperial Frontier (Hadrian's Wall and the second century fort), the civilian settlement and the Roman period waterfront. Of these, the former can be delineated with a degree of confidence, albeit in a corridor where the line is expected to have run, as it is not known how the Wall linked with the fort between Garth Heads and the bottom of Westgate Road. The establishment of the line, its relationship to the fort and the details of its construction and ancillary features represents a tantalising problem which could be addressed by precisely targeted excavation. The fort is fairly well known from excavation and much of the interior is masked and conserved by later, protected, medieval structures. In all, a sizable fraction of the total is still potentially in existence, a fact attributable to the degree of preservation afforded by Scheduling and Listing in the Castle Garth, and the lack of 60s and 70s redevelopment within a 300 m radius of the castle, where most of the known Roman deposits occur. While the first concern will be the continued conservation of these remains, the case could be made for some Research-led excavation within the Castle Garth, possibly associated with much needed improvements of the public realm, to the south of the railway viaduct.

Civilian settlement is thought to be centred on the flat ground to the south-west of the fort, currently occupied by Victorian buildings (Turnbull's Factory, the Central Station). Little excavation has taken place in this area, and our evidence takes the form of nineteenth century records of finds, structures and burials.

More problematical still is the understanding of the Roman period riverside facilities (bridge, roads and quays). These may await discovery at depths in excess of 4 m below the present surface, but given the character of recent

development and the effective stability of the riverside townscape now, there will be little opportunity to test research hypotheses in the near future. The river was much wider at this time, and deposits and structures should be looked for at the foot of the steep slope on the north side of the Close and Sandhill.

The importance of the Archaeology of the World Heritage Site of Hadrian's Wall is not in doubt, but it may be possible to make a case for Research Excavation to assist in the understanding of the resource and to provide opportunities for the interpretation of the monument, within the wider scope of the Hadrian's Wall Management Plan. Preservation *in situ* is imperative for the as yet unlocated sections of curtain wall which might survive later over-building (as was the case at 14-24 Westgate Road – the former Hertz building) and for any spectacularly important structures (bridge, Imperial/ceremonial monuments) the existence of which can only be speculated about.

#### *The Anglo-Saxon Period*

The only accredited monument of this period is the Castle Garth cemetery. Burial began in the ninth century AD, within and around the decaying walls of the ruined Roman fort. Every effort must be made to locate and record the remains of activity dating to this period, which might be located in dispersed settlements away from the core areas of later development. The management of these deposits will mirror those for the Roman remains within the Castle Garth; conservation as a default, with the possibility of Research-led fieldwork at some future date.

#### *The Medieval Period*

In general terms, the survival of deposits is not uniform across the town, with generally better levels of survival south of the Castle Garth, and to the west of Pilgrim Street. Of particular concern is the level of destruction noted on the street frontages, where many of the most important research themes concerning the everyday life and economy of the inhabitants would be focussed. Of the combined built-up areas both within and outside the medieval walls (the suburbs), less than 10% survives at an optimistic estimate. Of the suburban development, less than 2% might be expected, as the major extramural communities of Sandgate, Gallowgate and Newgate have seen almost total obliteration by mostly modern development. The special spread of survival is very uneven; the only area containing a coherent block of relatively well-preserved deposits are the streets to the north of the Cathedral, around the medieval markets. Reference to the distribution of

archaeological research and excavation shows that the loss of the medieval street frontages has not provided good excavated evidence in compensation; as a consequence almost nothing is known of the development of the urban core or of the lifestyle and economy of its inhabitants. The conservation of the surviving fraction of these remains, in the central part of the medieval town, must be a priority of all development strategies in the future.

As would be expected, the principal extant Medieval buildings are adequately protected through scheduling and listing; but in the case of the walls Town Walls between Heber Tower and St Andrew's Street, and under the City Road south of Corner Tower, unsympathetic development has spoilt the setting of the monuments. It is proposed to bring forward policy to address these problems at a future date. The City Monument Manager is addressing long-standing maintenance issues at the Castle Keep, Sallyport Tower and along the Town Walls through the implementation of a planned maintenance programme based on quinquennial condition surveys.

#### *The Post Medieval Period*

The establishment of infrastructure, and the transformation of the medieval frontier stronghold and minor port into a North Sea trading centre, were slow and complex processes that can only be partly understood through the study of documentary evidence. The sixteenth and seventeenth centuries, in particular, saw the emergence of a mercantile elite who brought great wealth to the region, as well as cosmopolitan tastes and ideas. This period saw the birth of the coal-exporting industry, which grew to become the region's premier industry by the mid eighteenth century.

#### *The Early Modern Period*

Although previously viewed by archaeologists only in relation to its destructive effect on Roman and medieval remains, the City centre has nationally important industrial archaeology, encompassing engineering, iron and lead making, tanning, manufacturing and applied chemical manufacture. Other themes of importance include housing provision, the development of retail and recreation facilities and the archaeology of religion. Major historical events, like the Civil War, the Jacobite Rebellions and the two World Wars, have left their mark on the military installations. and the activities of the surrounding areas. Careful research of modern sources and the detailed investigation of seemingly uninteresting structures are vital to the preservation and dissemination of this aspect of our heritage.

### **2 Archaeological Remains outside the City Centre**

The Tyne & Wear Historic Environment Record has over 1,500 archaeological sites and find-spots recorded for the district of Newcastle outside the city Centre. Many of these relate to periods before written records and so stand as the only evidence of the activities of earlier generations.

#### *The Prehistoric Period*

The District contains numerous prehistoric site, both Scheduled and unscheduled. Many more await discovery. Site recognition is made difficult because early sites often do not yield many finds and so are not amenable to discovery by field-walking. Close study of aerial photographis collections and geophysical survey are essential first steps to revealing prehistoric and Roman sites on “green-field” developments.

#### *The Roman Period*

The principal monument of the Roman era is the UNESCO World Heritage site, which runs east-west across the district. Interestingly, this area contains both the first sections of the frontier defences to be constructed, and the last, as building work on the Hadrianic monument commenced at Newcastle and progressed westward towards Carlisle. When this was completed, perhaps five years later, an additional length was added from Newcastle to Wallsend. Recent development stimulated excavation has added much to our knowledge of the frontier, and much still remains to be uncovered. It is quite wrong to think that the heavily-overbuilt sections of the Wall have been destroyed; indeed overbuilding from an early date has protected shallow features from destructive modern ploughing.

#### The Saxon and Medieval Periods

Settlement archaeology for the period 500-1500 AD remains elusive, many sites of this period being hidden beneath later villages and farms. Significant proportions of the rural landscape have been destroyed or buried by mining and other industry, the origins of which can be traced to this period. The routine use of geophysical survey has discovered new sites, as has the careful use of sampling strategies of trail trenching.

#### Later Periods

The last four hundred years have seen the transformation of the countryside around Newcastle from a largely agricultural economy, controlled and supporting feudal lordships - ecclesiastical and secular, to one based on industrial activity on an international scale. The development of the coal-mining industry on Tyneside, in particular, is a subject of European importance. Some of the surviving remains are recognised as meriting scheduling (Dewley Pits, Dinnington) but significant remains await discovery and recording. In the twentieth century, the strategic industrial resources of this area led to Tyneside becoming the most heavily defended area outside London. The archaeology of defence sites, from the 1900s to the Cold War, is increasingly seen as a subject both of research and preservation for posterity.

### **ARCHAEOLOGICAL DEVELOPMENT PLAN POLICIES**

Newcastle has a comprehensive approach to the preservation and enhancement of the built and natural environment. The Policy framework underlying this Supplementary Planning Document consists of a combination of the carried-over archaeology policies from the *Newcastle Unitary Development Plan* (Policies C4 1-6 : sections 4.161-171) and new policies contained in the new generation of policies, the *Development Plan Documents of the LOCAL DEVELOPMENT SCHEME*.

#### **Policies Retained from the Newcastle upon Tyne Unitary Development Plan (January 1998)**

##### **POLICY C4:**

*“DEVELOPMENT WHICH WOULD HARM SITES OR AREAS OF ARCHAEOLOGICAL INTEREST AND THEIR SETTINGS WILL NOT BE PERMITTED”*

Policy C4 is followed by a Section (C4.1) listing the major archaeological sites and areas of archaeological interest in the district. Within the historic core there are, in addition to the *Scheduled Ancient Monuments* listed above, two zones designated as being ***areas of known or potential archaeological importance***:

1. Known and presumed line of Hadrian's Wall, ditch and *Vallum*
2. The city centre (historic core)

These zones represent large areas of the town where a wide range of archaeological deposits once existed, and which in some instances, still survive.

#### **POLICY C4.2**

*“WHERE PROPOSED DEVELOPMENT MAY AFFECT A SITE OR AREA OF ARCHAEOLOGICAL INTEREST, DEVELOPERS WILL BE REQUIRED TO SUBMIT AN APPROPRIATE ASSESSMENT OF THE POTENTIAL IMPACT OF THE PROPOSAL UPON THE ARCHAEOLOGY.”*

The underlying ethos of the Local Authorities policy on the management of archaeological sites is that the remains of past generations represent a valuable and finite resource which must be given appropriate consideration during all stages of decision-making in the Planning Process. It is up to the Applicant in any Planning Application to demonstrate that changes in the present environment do not unnecessarily or inadvertently destroy the accumulated material legacy of preceding generations.

Where the development may adversely affect important archaeological remains, the Planning Authority will act to minimize any loss or mitigate the effects of the loss through

#### **POLICY C4.3**

*“WHERE PROPOSED DEVELOPMENT WOULD AFFECT A SITE OR AREA OF ARCHAEOLOGICAL INTEREST DEVELOPERS WILL BE REQUIRED TO PRESERVE ARCHAEOLOGICAL REMAINS IN SITU UNLESS THIS IS CLEARLY INAPPROPRIATE OR DEMONSTRABLY UNAVOIDABLE, IN WHICH CASE A PROGRAMME OF ARCHAEOLOGICAL WORKS SHALL BE SUBMITTED AND AGREED WITH THE LOCAL PLANNING AUTHORITY BEFORE THE START OF DEVELOPMENT.”*

It is recognised that archaeological sites consist of buried deposits and structures which are often masked by modern buildings and, unless appropriate measures are taken at the right time, would only be revealed during the process of destruction associated with many urban re-developments. The correct procedure for devising and timetabling an appropriate level of archaeological information gathering and recording is detailed in Planning Policy Guidance Note 16 (DOE 1990) see below.

### **Emerging archaeological Policies within the LOCAL DEVELOPMENT FRAMEWORK**

Within the **CORE STRATEGY PREFERRED OPTIONS REPORT**, the relevant preferred option relating to the management of archaeological remains is:

**“EN2 Character and Local Distinctiveness:** protect, conserve and enhance the historic environment, including... sites and areas of archaeological interest, and particularly Hadrian’s Wall World Heritage Site.”

### ***CITY CENTRE AREA ACTION PLAN***

The creation of *Area Action Plans* are an intrinsic component of the next generation of Local Government spatial planning directives. The 2004 **KEY ISSUES REPORT**, a widely published consultation document informed the production of the Newcastle Local Development Scheme, approved by the Council Executive in February 2005 before submission to the Secretary of State under Section 15(3) of the Planning and compulsory Purchase Act 2004. Enacted in March 2005, this document included the option of a City Centre Area Action Plan (CCAAP). This was confirmed in the Local Development Scheme 2005, which stated:

*“The centre and its fringes have large areas of vacant property and previously developed land. Redevelopment schemes are emerging, which will create commercial and educational facilities, homes, leisure and employment over a period of 15 years. These have major implications for land use, urban design, the public realm, open spaces, sustainable communities, utilities infrastructure, transportation and parking.”* ( Newcastle Local Development Scheme, Feb 2005, 8-9)

To mitigate the impact of major redevelopment within the City Centre on buried remains, two archaeological policies are proposed to be included in the CCAAP Preferred Options which will be reported in due course, subject to the revised Local Development Scheme. These relate to specific concerns about the protection of nationally important remains comprising the Imperial Frontiers of the Roman Empire WHS and medieval remains within the historic core of the city, which are beyond the scope of present Scheduling policy but which merit an enhanced degree of protection within the Development Process. Preliminary consultation drafts for these policies are set out below:



### **CCAAP ARCHAEOLOGY POLICY 1**

*“ NO DEVELOPMENT SHALL TAKE PLACE WHICH WILL HARM NATIONALLY IMPORTANT STRUCTURAL REMAINS OF HADRIAN’S WALL, WHETHER SCHEDULED OR NOT.”*

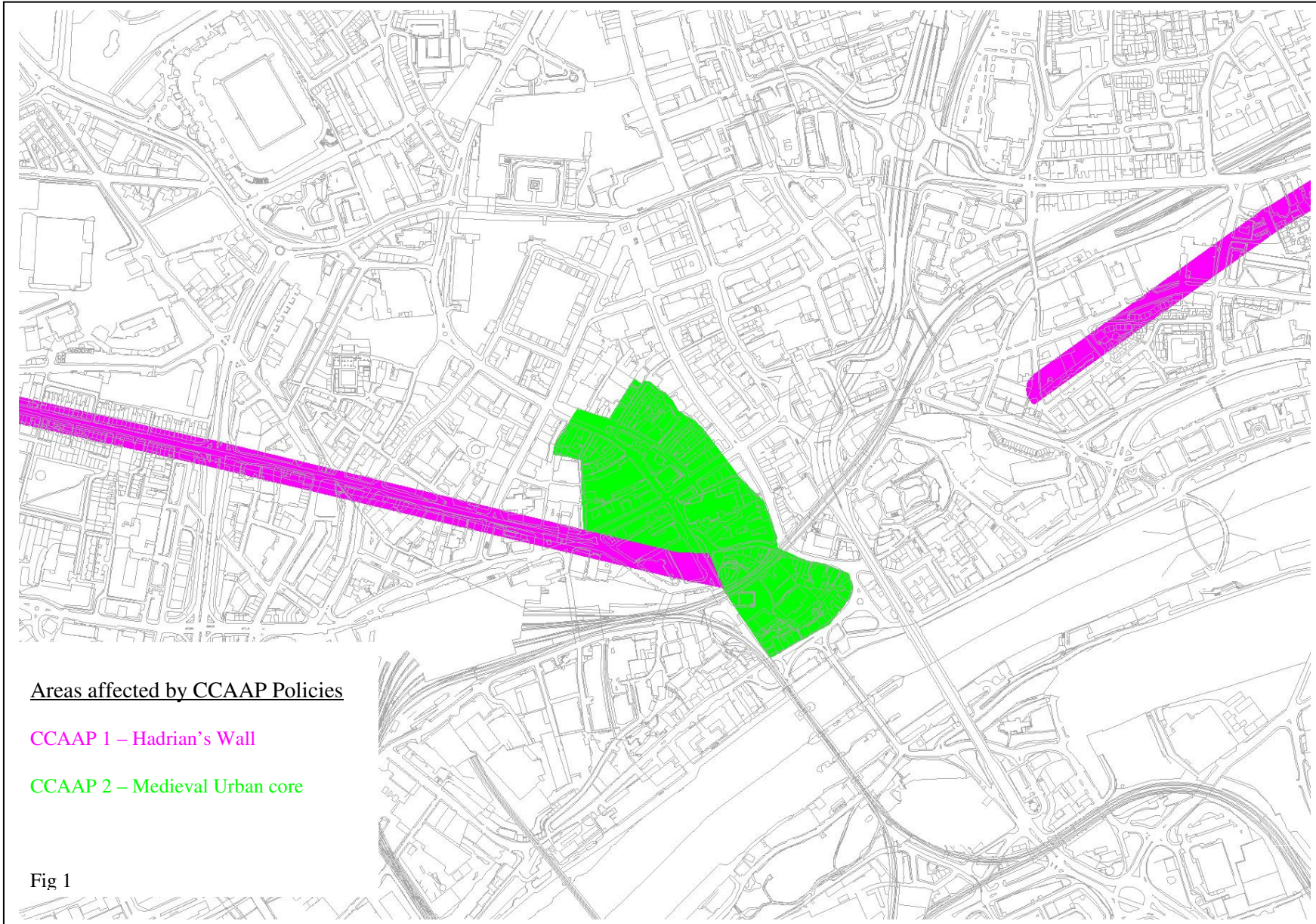
The Transnational World Heritage Site of Hadrian’s Wall runs through the city Centre from the West Road to Byker. This monument is a tremendously important asset to the city and its hinterland and is seen across the world as an iconic symbol of the North’s pan-European heritage. Along much of this length the fabric of Roman Wall still survives beneath later buildings. As well as the curtain wall, structural remains in the form of the associated milecastle and interval turrets may also exist, albeit undiscovered, and these structures are linked by a metalled road, known as the Military Way. These form the stone built components of the Imperial Frontier, which are suitable for display and interpretation, if not now, then at some point in the future. It must be remembered that many of the buildings erected today will only have a life span of two or three generations. This policy will ensure that the structural remains (ie remains composed of stone, brick, tile or cement) will be preserved, *in situ*, in perpetuity. The spatial position of the Wall, and therefore the area within which CCAAP Arch. Policy 1 applies, is shown on Fig1.

The presence of surviving sections of Wall, milecastle, turret or Military Way will not prevent development above and around the structural remains. Minimal interventions into non-structural deposits around the masonry elements (ie pit and ditch fills and contemporary horizontal stratigraphy), while clearly undesirable, may be possible to enable appropriate developments be achieved, without harming the structural elements. Any such destruction must be fully justified and represent an absolute minimum. English Heritage, who advise Central Government of archaeological issues and who have an active role in the Planning Process as a statutory consultee, work closely with the City’s Archaeological Officers on applications which have the potential to affect the WHS.

*CCAAP ARCH POL 2: NO DEVELOPMENT SHALL TAKE PLACE WHICH WILL DESTROY NATIONALLY IMPORTANT REMAINS OF MEDIEVAL DATE, WHETHER SCHEDULED OR NOT.*

The area defined as constituting the surviving medieval core is within the Central Conservation Area and has sizable fraction of its surface covered with Listed Buildings. As such, wholesale replacement of existing urban fabric

with new build will be prevented by Conservation Area and Listed Building constraints. Development within the grain of the existing, largely Medieval street and property boundaries will be encouraged to achieve the preservation of existing archaeological deposits and some minor destructive intrusions into the underlying deposits may be permitted to facilitate conservation-led regeneration and refurbishment of existing buildings, seeking an integration between environmental and developmental matters. The normal sequence of Desk-Based Assessment and Evaluation will provide information on the presence or absence of nationally important remains on any individual plot which will allow the Planning Authority to apply appropriate conditions to any Planning Consents.



Areas affected by CCAAP Policies

CCAAP 1 – Hadrian’s Wall

CCAAP 2 – Medieval Urban core

Fig 1

## **ARCHAEOLOGY IN THE PLANNING PROCESS**

In areas where archaeological deposits may be encountered a number of stages are recommended by PPG16 (see above) to ensure that the Local Authority has sufficient information to achieve the correct balance between encouraging economic development on one hand, and respecting and preserving the district's rich and varied heritage, on the other. The Local Authority may seek provision to preserve remains or mitigate the consequences of adverse impacts of developments. The Local Authority may seek to achieve the display and interpretation of important remains, if feasible and desirable. It is the sole responsibility of the applicant to provide the required information to enable the Local Authority to assess the impact of any development proposal, and then undertake any subsequent mitigation that is deemed necessary. In order to enable the Local Authority to reach the correct decision on the application, and possibly prevent costly delays during construction, it is essential that the Assessment and Evaluation stages are complete before the Application is decided.

There may be cases where it is not feasible to undertake evaluation in advance of a decision, for example, where occupied standing buildings make trial excavation impossible. On the vast majority of cases, there is ample opportunity to collect the necessary information to progress the planning application. The Planning Authority may delay registration of an application until progress has been achieved on resolving archaeological uncertainties.

### **Pre-determination Requirements**

#### *Pre Application Discussion*

In Planning Applications which might raise archaeological issues, early consultation with the County Archaeologist and the Industrial Archaeologist is of enormous importance. They can provide an initial appraisal of the likelihood that archaeologically sensitive deposits need to be considered for any specific planning application, and give advice on the steps that may need to be taken at each stage of the process. The results of these discussions may well prevent delays during the course of processing the application.

#### *The Tyne & Wear Historic Environment Record*

The first source of information on the archaeological heritage of a site or area is the County HER. This has a computerised index of all of the known or suspected sites, finds, and main historical buildings in the former County of

Tyne & Wear, linked to an extensive archive of secondary sources, photographs, maps and reports of archaeological work done both for development control purposes and wider research. The database is accessible via the SITELINES website (<http://museums.ncl.ac.uk/sitelines>) and the whole archive is available to the public by appointment to the HER Search room at Jesmond Old Cemetery (contact details in Appendix 2). Central Government is currently (Dec 2006) considering giving HERs a statutory status within the Planning Process.

#### ***Archaeological Desk-Based Assessments***

For any site which might have archaeological implications, an important component of the documentation needed to accompany the Planning Application is an indication of the likely impact of the scheme on any buried remains. This is presented in a standard format, known as a Desk-Based Assessment, prepared by an archaeological consultant on behalf of the applicant, to a specification drawn-up by the County Archaeologist or the Industrial Archaeologist, who can also assist by providing a list of organisations which do work of this sort. The Desk-Based Assessment will utilize a number of sources, national as well as local, including all relevant documentary records, (such as local history books, journals, papers, documents, county histories, trade directories, census returns, council minutes, court rolls, wills, newspaper cuttings, historic photographs and postcards, prints and engravings etc.) and cartographic records (including historic mapping, archive plans, surveys, Building Control Plans, Goad Insurance Plans, estate plans, tithe maps and OS mapping) relating to the vicinity. Information on the condition of the site and the survival of remains are also important, for example, bore-hole logs and cellar surveys. Given the local character of many of the most relevant sources, in order to meet the requirements of the specification, the archaeologist who undertakes this work must be suitably qualified and familiar with Tyneside sources.

#### *Field Evaluation*

On the basis of the information provided in the Desk-Based Assessment, the Planning Authority will determine the need for further work to test whether deposits predicted in the Assessment have survived on this plot. This is usually achieved by trial excavation or geophysical survey, and is known as a Field Evaluation. This programme will also be defined by the County or Industrial Archaeologist, and may employ a range of survey and analytic techniques besides excavation. The purpose of this work is quite distinct from a full-scale excavation, and aims only to record the presence or absence of remains and elucidate their character and complexity. This may require the

collecting and assessment of palaeo-environmental samples, on the advice of the English Heritage Regional Scientific Advisor. The report of this work may be the only record of this archaeological event, and so must be a complete account, in line with the specification, for deposition in the Historic Environment Record and possibly publication in a suitable archaeological journal.

Should nationally important remains be brought to light, for example, remains of Hadrian's Wall or medieval structures within the historic core, the preferred option would be avoidance of disturbance (Policy C4; CCAAP Policies 1 & 2) for example by the use of building techniques that ensure minimal disturbance of the buried remains on the site, or restriction of deep foundations to areas previously destroyed by earlier foundations or cellars.

#### *Building Recording*

In evaluating the upstanding part of an archaeological site, or in providing information to accompany a Listed Building Application, there may be a need to record standing buildings. In instances of proposed demolition or substantial remodelling, most buildings over a hundred years old will merit some form of record. English Heritage have produced nationally-applicable best-practise guidelines which will be used to specify what is needed in each particular instance (*Understanding Historic Buildings; a guide to good recording practice* English Heritage 2006).

#### **Archaeological Planning Conditions**

With the benefit of the Assessment and Evaluation reports, the Planning Authority can make the appropriate decision (in the context of the Policies set out above) on whether to give consent to the scheme or not (e.g. UDP Policy C4; CCAAP Arch Policies 1&2), and, if so, what further steps need to be taken to mitigate the destructive effects of the development on the archaeological remains (Policy C4.3) usually by ensuring that any remains that will be unavoidably destroyed are archaeologically excavated, analysed and published, so that the site is "preserved by record" if not in fact. The requirements for further work will normally be attached to the Planning Consent as negative conditions, such as the model condition outlined in PPG16 (Section 29) described above.

#### *Written Scheme of Investigation*

This a detailed document which sets out the precise work required, covering the area to be excavated, the volume of deposits to be recorded, the methodology employed, the degree of expertise required, the amount of analysis and research required, finds collection policies, conservation of perishable artefacts, the deposition of finds and archives and the eventual publication of the results. For a complex urban site, such programmes are expensive and time-consuming, and represent to the developer a construction cost against which to balance the real benefits of locating in the historic centre of the town. In rural contexts, the scheme will focus on the identification and recording of less complicated stratigraphy, but features may be traced across many hectares of landscape, requiring the careful co-ordination of topsoil stripping and archaeological recording to ensure schemes progress in the most efficient way possible.

#### *Watching briefs*

Clearly, many sites in the urban area will not require the degree of work outlined above. In many cases the small scale of the disturbance associated with the development, or the low probability that archaeological remains will have once existed, or survived on the site, will mean that a much lower level of observation and recording is required. Known as a Watching Brief, this is the timetabled attendance of a suitably qualified archaeologist at the point when digging is underway. Any archaeological deposits encountered will be quickly recorded and any finds collected, without undue disruption to the construction work. Again, the County Archaeologist will provide the specification for the Watching Brief, which will be undertaken to comply with a Model Condition:

*“No development shall take place until the developer has appointed an archaeologist to undertake a programme of observations of construction work to record items of interest and finds in accordance with a specification provided by the County Archaeologist.”*

#### *Building Recording*

Where standing buildings form a component of the archaeological resource, the initial recording at evaluation phase may need to be followed-up by more detailed work. This will not be restricted to Listed Buildings, which are selected mainly on an architectural criteria. Newcastle has a number of outwardly unprepossessing structures which are important in forming a link with past communities and industries, and which will merit recording by qualified archaeologists or building historians to an agreed specification which will reflect the importance of the structure and detail the most suitable



recording methodology ( e.g. photographic survey, elevation recording etc.). In the vast majority of cases, building recording will not delay the development timetable , and can utilise existing records, like architects plans and photographs, if these are of the required accuracy.

#### **Unexpected Discoveries**

The possibility of discovering spectacularly important remains is constant cause of concern to developers who are not experienced in the re-generation of historic centres. Again, PPG16 provides advice on the extremely rare circumstance that exceptional and unpredicted remains are encountered while development is in progress. There are powers at the discretion of both the Secretary of State, and the Planning Authority to intervene to ensure that nationally important remains are protected. The developer can insure against any resultant loss, and would, if best practise in line with Planning Guidance, be entitled to compensation. In most cases, it has proved possible to achieve a satisfactory conclusion through voluntary negotiation. In all cases, the best precaution is to take the appropriate steps (Assessment, Evaluation etc.) at the right time.