

**Kent and Medway Structure Plan 2006
Mapping out the future**

Supplementary Planning Guidance

SPG 3

Archaeology in Historic Towns

July 2006



**Strategy and Planning Division/
Environment and Waste Division
Environment and Regeneration Directorate
Kent County Council
Tel: 01622 221609
Email: planning.policy@kent.gov.uk**

Kent and Medway Structure Plan 2006

Supplementary Planning Guidance (SPG3): Archaeology in Historic Towns

Preface

- i. The purpose of Supplementary Planning Guidance (SPG) is to supplement the policies and proposals of development plans. It elaborates policies so that they can be better understood and effectively applied. SPG should be clearly cross – referenced to the relevant plan policy or policies, which it supplements and should be the subject of consultation during its preparation. In these circumstances SPG may be taken into account as a material consideration in planning decisions.
- ii. A number of elements of SPG have been produced to supplement certain policies of the Kent and Medway Structure Plan 2006. This SPG supplements:
 - **Policy QL7: Archaeological Sites.**
- iii. This SPG has been prepared by Kent County Council working in partnership with a range of stakeholders drawn from Kent local authorities and other relevant agencies.
- iv. A draft of this SPG was subject to public consultation alongside public consultation on the deposit draft of the Kent and Medway Structure Plan in late 2003. It has been subsequently revised and updated prior to its adoption. A separate report provides a statement of the consultation undertaken, the representations received and the response to these representations.
- v. This SPG was adopted by Kent County Council on July 13th 2006.

Contents

	<u>Page</u>
1. Introduction	2
2. SPG Background	3
3. Urban Archaeological Zones and Guidance	4
4. Outside the Urban Archaeological Zoned Area	6
5. Updating of the Urban Archaeological Zones	6
6. Settlements covered by SPG3	6
7. Useful Addresses and Contacts	7
8. Glossary of Terms	8
Plans of Urban Archaeological Zones	

1. Introduction

1.1 The Extensive Urban Archaeological Survey, undertaken by Kent County Council, assesses the archaeological potential of the historic towns in Kent and Medway, particularly in relation to potential impacts from development. This is Supplementary Planning Guidance (SPG) to the Kent and Medway Structure Plan 2006 (KMSP) Policy QL7 [Archaeological Sites] which sets out the requirements for the conservation and management of archaeological sites and finds. The Deposit draft KMSP and the draft SPG were subject to full public consultation in Autumn 2003. Policy QL7 and this SPG have been revised in the light of the responses received to that consultation.

Kent and Medway Structure Plan 2006

Policy QL7: Archaeological Sites

The archaeological and historic integrity of scheduled ancient monuments and other important archaeological sites, together with their settings, will be protected and, where possible, enhanced. Development which would adversely affect them will not be permitted.

Where important or potentially important archaeological remains may exist, developers will be required to arrange for archaeological assessment and/or field evaluation to be carried out in advance of the determination of planning applications.

Where the case for development affecting an archaeological site is accepted, the archaeological remains should be preserved in situ. Where preservation in situ is not possible or justified, appropriate provision for preservation by record will be required.

1.2 Precisely defining what is a town is not straightforward. For the purposes of this study places that can be seen historically to have fulfilled roles socially and economically as central places and perhaps with a market, have been included. Inevitably the distinction between village and town is not always clear. The Extensive Urban Archaeological Survey includes some medieval towns that are no longer of urban character and extends to towns which developed in the eighteenth century. Roman towns that now only survive as buried remains in a rural context are not included. The Guidance is concerned with the impact of development on archaeological remains within towns rather than sites in the surrounding countryside. In particular it seeks to raise awareness of areas of archaeological importance within a town, provide more accurate information on the extent of these areas and establish a consistent approach towards dealing with the impact of development proposals across Kent and Medway¹. Canterbury and Dover have not been included in the Extensive Urban Archaeological Survey, as a more detailed Urban Archaeological Database is being developed for Canterbury and one is proposed for Dover.

1.3 The Guidance is aimed at local planning authorities, developers and their advisers. It may also be of interest to landowners, householders and local historical groups. It amplifies Policy QL7 of the adopted Kent and Medway Structure Plan 2006. Local Planning Authorities are encouraged to take the guidance into account in the preparation of their Local Development Documents and site specific Supplementary Planning Documents as well as in the exercise of their development control function. The Guidance does not apply outside the

¹ Kent County Council provides an archaeological service for the Medway area on behalf of Medway Council.

identified urban areas and should be read alongside existing Local Plan policies on archaeology. It has been issued both as a composite Kent and Medway edition containing maps for all the settlements to which it applies and as a series of district editions containing maps only for those settlements falling in the respective district area. There is no difference in the wording or application of the Guidance in either edition.

2. SPG Background

2.1 Kent's historic towns, some of which have been occupied since Roman times or even earlier, contain a wealth of evidence of past ways of life. This may take the form of buried archaeological deposits, standing buildings or structures, such as castles or town walls, or the present street patterns which may reflect past urban forms. At the same time, our towns need to develop as thriving communities. This Guidance aims to reduce conflict between the need for development and the need to preserve important archaeological remains, through the preparation of an ongoing and integrated strategy for conserving the urban archaeological resource.

2.2 The Government's policy on archaeological remains is set out in PPG16: Archaeology and Planning. It states (para. 6) that:

'Archaeological remains should be seen as a finite and non-renewable resource, in many cases highly fragile and vulnerable to damage and destruction. Appropriate management is therefore essential to ensure they survive in good condition. In particular, care must be taken to ensure that archaeological remains are not needlessly or thoughtlessly destroyed. They can contain irreplaceable information about our past and the potential for an increase in future knowledge. They are part of our sense of national identity and are valuable both for their own sake and for their role in education, leisure and tourism.'

2.3 Archaeological remains are not always buried below ground and in many cases historic buildings within a town will contain important archaeological information, irrespective of whether they are Listed Buildings or not. Indeed, as noted in PPG15 (Planning and the Historic Environment (para. 2.15):

'Some historic buildings are scheduled ancient monuments, and many which are not scheduled are of intrinsic archaeological interest or stand on ground which contains' archaeological remains.'

2.4 The means by which provision for archaeological preservation or recording is secured is also discussed in PPG16. In the event that archaeological work may be required prior to a planning decision being taken (para 21):

'it is reasonable for the planning authority to request the prospective developer to arrange for an archaeological field evaluation to be carried out before any decision on the planning application is taken.'

If the planning authority is willing to grant planning permission but requires that preservation in-situ or archaeological recording take place (para 30):

'it is open to them to do so by the use of a negative condition i.e. a condition prohibiting the carrying out of development until such time as works or other action, e.g. an excavation, have been carried out by a third party.'

3. Urban Archaeological Zones and Guidance

3.1 This Guidance relates to 46 towns in Kent and Medway as listed in Section 8. A plan has been produced for each settlement indicating archaeological resource zones based on the known importance of archaeological deposits in that town which derives from the Extensive Urban Archaeological Survey. The boundaries of these zones are related to the possible extent of archaeological deposits rather than modern boundaries. Key documents in assessing the archaeological potential of Kent's towns are the Ordnance Surveyors' Field Drawings of c. 1800 (held by the British Library). These provide consistent, fairly detailed cartography of the various towns before the population explosion of the 19th century. While they do not map the extent and layout of the towns in the medieval period, they nonetheless provide a useful baseline for assessing the extent and layout of the towns in the Middle Ages.

3.2 In the case of applications for Listed Building Consent or where the building is historic in character, and where the proposal impacts on the historic fabric, then the Local Planning Authority will need to consider whether or not to consult the County Archaeologist in respect of considerations of archaeology or industrial archaeology. Similarly, developers considering proposals in these areas are encouraged to consult the County Archaeologist at an early stage in the design process.

3.3 Four types of Urban Archaeological Zone have been identified although they will not necessarily be present in all the towns. The zones indicate:

Zone 1 – Areas of known national importance;

Zone 2 – Areas of known archaeological potential where clarification of the nature of this potential is required;

Zone 3 – Areas where archaeological potential is thought to be lower; and

Zone 4 – Areas in which archaeological remains have been completely removed.

Further information detailing the state of knowledge of the archaeology of each of these towns including analysis of their topography and historical development is available in the form of an Assessment Report. These reports can be purchased from the County Archaeologist (see section 7 for contact details).

3.4 **Zone 1** identifies, as suggested in PPG16 (para 16), archaeological remains of known national importance, and comprises both Scheduled Monuments and unscheduled remains. PPG16 (para 8) states that:

'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.'

3.5 Scheduled Monuments (formerly known as Scheduled Ancient Monuments) are protected under Part 1 of the Ancient Monuments and Archaeological Areas Act 1979. Prior consent from the Secretary of State is required for all works affecting such monuments, whether or not those works require planning permission. Local planning authorities should secure, through the development control process, the protection of nationally important remains that are not scheduled.

3.6 Development proposals within Zone 1 that are likely to affect nationally important archaeological remains, whether scheduled or not, should include a detailed archaeological assessment of the remains and a mitigation strategy setting out how the remains will be

protected. Buildings and foundations may need to be designed and/or located to allow preservation of archaeological remains. Such considerations should be addressed at an early stage in the design process, if possible before a planning application is actually submitted, in order to avoid unnecessary costs.

3.7 The archaeological and historic integrity of sites within Zone 1, together with their settings, should be protected and where possible enhanced. Where development would adversely affect them permission will normally be refused.

3.8 Where permission is granted, conditions will normally be applied, or agreements entered into, to ensure that any necessary mitigation strategy is implemented. Applications for planning permission and other consents that affect the fabric of historic buildings, or other historic structures or earthworks, and/or that disturb the ground, should be accompanied by the following:

- i.) a detailed report on the character and extent of any archaeological remains likely to be affected; and
- ii.) a mitigation strategy detailing how any possible archaeological impacts would be avoided.

3.9 **Zone 2** contains archaeological remains, some of which may be of national importance but whose precise extent, quality or level of importance is currently not clear, and where clarification of potential is required. Early consultation with the local planning authority, preferably prior to the submission of a planning application, will enable the implications of the proposals to be assessed, the appropriate course of action identified, and expensive redesign costs avoided.

3.10 The archaeological and historic integrity of sites within Zone 2, together with their settings, should be protected and where possible enhanced. Further information will be needed in this respect before informed decisions can be made. Therefore development proposals within Zone 2 that affect the historic fabric of buildings, or other historic structures or earthworks, and/or that disturb the ground, should be accompanied by a detailed report on the character and extent of any archaeological remains likely to be affected. Field evaluation may need to be carried out and the results made available prior to the determination of a planning application.

3.11 If significant archaeological remains are found to be affected by the proposals, preservation *in situ* of the remains will normally be sought. In some cases the need to preserve important archaeological remains may result in planning permission having to be refused. If permission is granted, a mitigation strategy detailing how preservation *in situ* is to be achieved should be submitted to, and agreed with, the local planning authority. Where preservation *in situ* is not justified appropriate provision for archaeological investigation, recording, analysis, publication and archiving will be required, in accordance with a written specification and timetable to be agreed with the local planning authority. Conditions will normally be applied to permissions or agreements sought to implement the mitigation strategy or programme of archaeological work.

3.12 **Zone 3** contains archaeological remains which on current evidence are of lesser importance. Development proposals within Zone 3 that affect the historic fabric of buildings, or other historic structures or earthworks, and/or that will disturb the ground should include provision for archaeological investigation, generally in the form of monitoring and/or borehole investigation, and the recording of finds and information of archaeological interest. If extensive or particularly important archaeological remains are unexpectedly encountered during the development process, there may be a need to arrange for their physical preservation and/or a more detailed programme of archaeological investigation and

recording. Where permission is granted, conditions will normally be applied or agreements sought to implement the archaeological work.

3.13 **Zone 4** comprises areas where archaeological remains are known to have been entirely removed by previous development, or other activity, including archaeological excavation. This Zone is only defined on the plan where it lies within the study area.

4. Outside the Urban Archaeological Zoned Area

4.1 Archaeological remains may be known or thought likely to exist outside the areas covered by the Extensive Urban Archaeological Survey and the Urban Archaeological Zones. Developers considering proposals in these areas are encouraged to consult the County Archaeologist at an early stage in the design process.

5. Updating of the Urban Archaeological Zones

5.1 As new archaeological and historical information concerning the historic towns becomes available, it may be necessary for the County Archaeologist in conjunction with the Local Planning Authority to revise the boundaries of the Urban Archaeological Zones.

6. Settlements to which the SPG3 applies

List of Settlements (46) to which SPG3 applies

Appledore	Headcorn	Sevenoaks
Ashford	Hythe	Sheerness
Charing	Ightham	Sittingbourne
Chatham	Lenham	Smarden
Chilham	Lydd	Tenterden
Cranbrook	Maidstone	Tonbridge
Dartford	Marden	Tunbridge Wells
Deal	Margate	West Malling
Edenbridge	Milton Regis	Westerham
Elham	Minster in Thanet	Whitstable
Faversham	New Romney	Wingham
Folkestone	Northfleet	Wrotham
Fordwich	Queenborough	Wye
Gillingham	Ramsgate	Yalding
Goudhurst	Rochester	
Gravesend	Sandwich	

7. Useful Addresses and Contacts

County Archaeologist
Heritage Conservation Group
Kent County Council
Invicta House
County Hall
Maidstone
Kent
ME14 1XX
Tel: 01622-221541

English Heritage
Eastgate Court
195-205 High Street
Guildford
GU1 3EH
Tel: 01483 252038

8. Glossary of Terms

Scheduled Monument

Under the Ancient Monument and Archaeological Areas Act 1979 the Secretary of State has a duty to compile and maintain a schedule of monuments, such monuments having statutory protection. Monuments on the schedule are by definition of national importance and the appropriateness of addition to the list is assessed against a set of criteria as set out in PPG16 Annex 4.

PPG15

Planning Policy Guidance 15: Planning and the Historic Environment (Department of the Environment and the Department of National Heritage 1994).

PPG16

Planning Policy Guidance 16: Archaeology and Planning (Department of the Environment 1990).

NB PPG15 and PPG16 are currently being revised and consolidated into a new Planning Policy Statement for the Historic Environment – PPS15

Assessment

This is normally a desk based activity bringing together all known evidence relating to the importance or potential of a given site or area.

Evaluation

This is normally supplementary work undertaken in the field (either non-intrusive such as field walking or geophysical survey, or intrusive such as bore holing or trial trenching) to obtain further information on the character, extent, date and potential of a given site or area.

Mitigation

Archaeological mitigation aims to minimise the effects of proposed development and normally consists of either preservation *in situ* of the archaeological remains, and/or archaeological investigation, recording, publication and archiving, where preservation is not justified or possible.