

From: [Allen, Kim \(Places Directorate - Solihull MBC\)](#)
To: [Allen, Kim \(Places Directorate - Solihull MBC\)](#)
Subject: FW: M42 Junction 6 Improvements DCO - Archaeological Comment
Date: 24 June 2019 18:32:04

From: Anna Stocks [<mailto:annastocks@warwickshire.gov.uk>]
Sent: 28 May 2019 21:54
To: Hodgetts, Lucy (Managed Growth and Communities Directorate)
Subject: M42 Junction 6 Improvements DCO - Archaeological Comment

your ref M42 Junction 6 Improvements DCO
my ref AS/SD/SD19_M42 Junction 6 Improvements DCO.3
date 24th May, 2019

Dear Lucy,

Re: M42 Junction 6 Improvements DCO.

ARCHAEOLOGICAL COMMENT

Thank you for your consultation on this proposal. As we have discussed, and as referenced in the section 7.3 of the Environmental Statement, this office was consulted on this proposal prior to the formal submission of this application.

The following comments are in respect of any potential archaeological impacts only, and are without prejudice to any comments your Conservation Officers or other parties may have on other aspects of the historic environment.

Chapter 7 of the Environmental Statement (ES) sets out the archaeological potential of the areas to be disturbed by this proposal. It states that 'given the number of archaeological assets recorded within the 500m study area, potential exists for previously unrecorded buried archaeology to be present' (para. 7.6.54), and that 'the potential for the discovery of previously unrecorded prehistoric and Roman site is considered to be medium' (para. 7.6.57). Paras. 7.9.12 and 7.9.13 present a summary of the predicted impacts and effects on both known and as yet unidentified archaeological features present, and concludes that, in relation to unrecorded archaeological deposits, 'as total asset removal could occur, magnitude of impact of major adverse applies, resulting in a large adverse significance of effect'.

Whilst I am pleased to note that the ES acknowledges the potential for as yet unidentified archaeological sites to survive across this area and that the proposal could result in their total removal, I am concerned that para. 7.9.13, states that it is assumed that 'in the absence of the findings of the planned archaeological evaluation,.... Unrecorded archaeological deposits would have a heritage value of **no greater than medium**' [emphasis mine]. I do not agree with this conclusion.

At present there is insufficient information available to enable an assessment to be made of the significance (importance) of any as yet unidentified archaeological features which could be disturbed or destroyed by this proposal. It is therefore premature to assume that the significance of any heritage assets present will be 'no greater than medium' and to base the assessment of impacts on that assumption.

There is a potential for archaeological features or deposits of greater than medium significance to

survive across this site. This could include archaeological features or deposits of national importance whose loss, or substantial harm to, should be, as set out para. 194 and footnote 63, of the National Planning Policy Framework (NPPF) be ‘wholly exceptional’. It further states that ‘any harm to, or loss of, the significance of a designated heritage asset... should require clear and convincing justification’. Should any such archaeological features or deposits be present across the site, which has not yet been determined, it may be appropriate for the proposal to be amended to help ensure their conservation.

This understating of the risk of heritage assets to be present which are of greater than medium significance and potentially worthy of conservation also occurs elsewhere in this chapter of the ES. For example, paras. 7.4.16 and 7.8.9 refer to mitigations measures to be implemented prior to, or in the early stages of construction, such as archaeological excavation, watching briefs etc, without referring to the potential need for the scheme to be modified in order to avoid or minimise impacting any archaeological features deemed worthy of conservation.

As set out in para. 7.3.17 of the ES, this office was consulted on this proposal during the preparation of the ES. This office recommended that a programme of archaeological evaluation, including geophysical survey and trial trenching, be undertaken in order to help ensure that there was sufficient information available to enable an adequately informed planning decision to be made in respect of this proposal (see para. 7.3.19 of the ES). This advice was in accordance with paras. 189 and 190 of the NPPF.

The trial trenching had not been undertaken when the ES was published; the conclusions reached are therefore, as stated by para. 7.4.15 ‘based on the based on the findings of the desk study and geophysical survey’.

The recommended geophysical survey has since been undertaken, and a Written Scheme of Investigation (WSI, aka Project Design) produced for the trial trenching, the scope of which was agreed with this office (see paras. 7.3.19, 7.4.14). The ES states that the results of the trenching ‘shall supplement the information presented within this chapter, and shall be submitted during examination of the DCO application as more evidence to inform the development of specific mitigation measures to be implemented either prior to, or in the early stages of construction’ (para. 7.4.16).

To date, approximately half of the trial trenching detailed in the WSI has been completed. Unfortunately the applicant has not been able to obtain access for their archaeological contractor to undertake the remainder of the trial trenching.

I am of the opinion that the archaeological implications of this proposal cannot be adequately assessed on the basis of the available information.

The full programme of archaeological trial trenching detailed in the Written Scheme of Investigation, including those trenches proposed across the areas it has not yet been possible to access, should be undertaken at the earliest opportunity. This will help to define the character, extent, state of preservation and importance of any archaeological remains present, and will also provide information useful for identifying potential options for minimising or avoiding damage to them.

The results should be provided before the close of examination so that an informed and reasonable planning decision can be reached, and the application modified if appropriate.

We would request that we are given opportunity to provide comment on the results of the archaeological evaluation in advance of the close of examination.

This recommendation conforms with the approach detailed in the National Planning Policy Framework.

If you have any further questions please do not hesitate to contact me.

Yours sincerely

Anna Stocks
Planning Archaeologist

Anna Stocks
Planning Archaeologist

Archaeological Information and Advice
Warwickshire County Council
PO Box 43
Shire Hall
Warwick
CV34 4SX

(01926) 412276

Please note, I am unavailable Mondays.

This transmission is intended for the named addressee(s) only and may contain confidential, sensitive or personal information and should be handled accordingly. Unless you are the named addressee (or authorised to receive it for the addressee) you may not copy or use it, or disclose it to anyone else. If you have received this transmission in error please notify the sender immediately. All email traffic sent to or from us may be subject to recording and/or monitoring in accordance with relevant legislation.