



Historic England

**WRITTEN REPRESENTATIONS**

**ON BEHALF OF THE  
HISTORIC BUILDINGS AND MONUMENTS COMMISSION FOR ENGLAND  
(HISTORIC ENGLAND)**

**Application by**

**Highways England for an Order granting Development Consent for the  
A1 Birtley to Coal House Improvement Scheme, Tyne & Wear**

**PINS Reference No: TR010031**

**Historic England Reference No: PL00552195**

**Deadline 1 Submission**

**04 February 2020**

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## **1. INTRODUCTION**

- 1.1. The following statement has been prepared by the Historic Buildings and Monuments Commission for England (Historic England) for the Examination of Highways England's application for a Development Consent Order (DCO) for the nationally significant infrastructure project to construct the A1 Birtley to Coal House Improvement Scheme (the 'Scheme').
- 1.2. Historic England has been involved through engagement with Highways England's ('the Applicant') development of the Scheme since 2017.
- 1.3. In accordance with the National Networks National Policy Statement (NNNPS) which is relevant in the determination of this Scheme, the Scheme should avoid or minimise the conflict between the conservation of any heritage assets affected and any aspect of the proposal. Historic England's engagement and advice in relation to this Scheme has focused on ensuring that the historic environment, and scheduled monuments in particular, has been taken into account due to the potential for adverse impacts on the significance of the historic environment arising from the detail of the Scheme.
- 1.4. Discussions with the Applicant in relation to the content of a Statement of Common Ground (SoCG) are on-going and it is hoped that a draft will be available for Deadline 2 on 25 February 2020.
- 1.5. This Written Representation sets out Historic England's position in relation to the significance of the designated heritage assets affected by the Scheme and the impact of the Scheme on the significance of those assets, including any contribution made by their settings to their significance.

## **2. ROLE OF THE HISTORIC BUILDINGS AND MONUMENTS COMMISSION FOR ENGLAND**

- 2.1 The Historic Buildings and Monuments Commission for England is generally known as Historic England. It was established with effect from 1 April 1984

under Section 32 of the National Heritage Act 1983. The general duties of Historic England under Section 33 are as follows “so far as practicable:

- (a) to secure the preservation of ancient monuments and historic buildings situated in England;
- (b) to promote the preservation and enhancement of the character and appearance of conservation areas situated in England; and
- (c) to promote the public’s enjoyment of, and advance their knowledge of, ancient monuments and historic buildings situated in England and their preservation”.

2.2 We also have a role in relation to maritime archaeology under the National Heritage Act 2002 and advise Government in relation to World Heritage Sites and compliance with the 1972 Convention Concerning the Protection of the World Cultural and National Heritage.

2.3 Historic England’s sponsoring department is the Department for Digital, Culture, Media and Sport, although its remit in conservation matters intersects with the policy responsibilities of a number of other government departments, particularly the Ministry of Housing, Communities and Local Government, with its responsibilities for land-use planning matters.

2.4 We are also a statutory consultee providing advice to local planning authorities on certain categories of applications for planning permission and listed building consent; we advise the Secretary of State for DCMS on applications for scheduled monument consent, and we are a statutory consultee on all Nationally Significant Infrastructure Projects (NSIP). Similarly Historic England advises the Secretary of State for DCMS on those applications and on other matters generally affecting the historic environment. It is the lead body for the heritage sector and is the Government’s principal adviser on the historic environment.

2.5 In light of its role as a statutory consultee, Historic England encourages pre-application discussions and early engagement on projects to ensure informed consideration of heritage assets and to ensure that the possible impacts of proposals on the historic environment are taken into account. In undertaking

pre-application discussions for a scheme such as this, the key issue for Historic England is ensuring that the significance and the impact on that significance of any heritage assets that may be affected is fully understood; that any proposals to avoid, or mitigate that impact have been considered and can be secured, and that the decision maker is fully informed and can be satisfied that there is clear and convincing justification for any harm with great weight given to the asset's conservation. Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset, the greater the justification that will be needed for any loss (NNNPS para 5.132).

### **3. SCOPE OF WRITTEN REPRESENTATIONS**

3.1 In this section we set out the scope of these Written Representations and address in further detail the matters raised in our Section 56 Relevant Representations (see Appendix 1). These two documents should be read together.

3.2 As stated in our Section 56 Relevant Representations Historic England's interest in the Scheme is focused upon ensuring that the historic environment generally, and designated heritage assets in particular, are fully taken into account in decision making and that the Examining Authority have the necessary information to inform its decision in this application.

3.3 The scope of Historic England's written representation will include:

- a summary of the proposals;
- a brief summary of Historic England's consultation and advice on the proposals prior to submission;
- a brief description of the designated heritage assets affected and an assessment of their significance (including that contribution made by their settings) and our assessment of the impact of the Scheme;
- Historic England's comments and observations on the draft DCO and
- An update on the current production of the SoCG.

## **4. THE PROPOSALS AND HISTORIC ENGLAND'S INVOLVEMENT WITH THE SCHEME PRIOR TO SUBMISSION**

### **4.1 The proposal for the Scheme comprises:**

- The widening of the southbound carriageway from three to four lanes, and widening of the northbound carriageway from two to three lanes (with an additional lane between junctions) between junction 67 (Coal House) and junction 65 (Birtley);
- Changes to signage and road markings on the southbound carriageway between just south of junction 68 (Lobley Hill) and junction 67 (Coal House);
- The Scheme includes a replacement bridge structure where the A1 crosses over the East Coast Main Line (ECML), 40 metres to the immediate south of the existing Allerdene Bridge structure, which would tie into the existing carriageways at junction 67 (Coal House) and north of junction 66 (Eighton Lodge);
- Replacement of existing North Dene Footbridge located between junction 66 (Eighton Lodge) and junction 65 (Birtley) to accommodate the widening of the A1; and,
- Diversion of utilities.

### **Historic England Consultation and Advice prior to submission**

4.2 Historic England was approached by the Applicant in late 2017 with initial proposals. The exact details of the Scheme, i.e.: the design; matters relating to construction compounds; extent of impact on the historic environment; and, proposed mitigation were at that point the subject of consultation through a series of meetings and during this process our first response was provided on 1st December 2017 in response to a written request for an ES Scoping Letter to PINS (see Appendix 2(a)). On 19th March 2018 we responded to the request for a Planning Act 2008, 'Section 42 Duty to Consult' on a proposed application (see Appendix 2(b)).

- 4.3 At that time, it was understood that the Scheme would result in various environmental impacts, and that there would be an impact on the historic environment. The Environmental Statement identified 129 heritage assets within the Study Area (see ES Chapter 6.1 – sections 6.7.28 – 6.7.29). It identified three scheduled monuments, one Grade II\* and 15 Grade II listed buildings and one Conservation Area. Other than one scheduled monument these other designated heritage assets were all outside the Order limit.
- 4.4 Discussion continued up until August 2019 with the Applicant and their agents.
- 4.5 On 10th September 2019 the application for a Development Consent Order for the proposed improvement of the A1 at Birtley was accepted for examination by the Secretary of State.

## **5. ASSESSMENT OF SIGNIFICANCE AND IMPACT ON DESIGNATED HERITAGE ASSETS AFFECTED BY THE SCHEME**

### **Statement of Approach**

- 5.1 As noted above, whilst 129 heritage assets were identified within the scheme's study area, only one scheduled monument is located within the boundaries of the Order. Namely:
- The Bowes Railway Scheduled Monument.
- 5.2 Of the two other scheduled monuments (Ravensworth Castle and Ravensworth Coal Mill) identified within the study area (but which lie outside the order limit) the Ravensworth Coal Mill SM is directly adjacent to the order limit. Whilst the scheme proposes no impact on this scheduled monument, should any works be required to be undertaken, then scheduled monument consent would be required and early discussion with Historic England is encouraged.
- 5.3 In these Written Representations Historic England will be focusing on the scheduled monument known as "Bowes Railway" as it falls within the order limits and it will be directly impacted by it.

- 5.4 We understand that the local authority will be leading on discussions regarding impacts to the Lamesley Conservation Area, the listed buildings and also any non-designated heritage assets of historic and/or archaeological interest (e.g. the Angel of the North).

### **Assessing Significance**

- 5.5 Historic England assesses significance in the following manner. The primary document is the National Planning Policy Framework (NPPF) 2019 which is supported by 'Good Practice Advice in Planning 2: Managing Significance in Decision-Taking in the Historic Environment' (Historic England 2015) in which 'significance' is described as being the sum of a range of 'interests'. The interest may be archaeological, architectural, artistic or historic, but significance also derives from the contribution made by the setting of a heritage asset. 'Historic Environment Good Practice Advice in Planning: 3 The Setting of Heritage Assets (2nd Edition)(Historic England 2017) gives general advice on understanding setting, and how it may contribute to the significance of heritage assets and allow that significance to be appreciated, as well as advice on how views contribute to setting.

### **Scheduled Monument known as 'The Bowes Railway' (National Heritage List for England (NHLE) no. 1003723)**

- 5.6 The monument known as 'Bowes Railway' is a partly preserved standard gauge railway with rope haulage and associated structures and apparatus. It was scheduled in 1976 (see Appendix 3 for the scheduled monument entry from the NHLE). It was designed by renowned railway engineer George Stephenson and opened in 1826 from Jarrow to Mount Moor. By 1842, it was extended to Kibblesworth, and by 1855/6 it had linked with other sections of colliery railway which stretched toward Pontop and Dipton. The railway closed in 1974 after the closure of the last pit with which it was connected. It was scheduled in 1976. At its peak, it had 7 rope-worked inclines and 3 locomotive-worked sections. When it closed in 1974 it had 3 stationary electric haulers, 1 gravity inclined plane and diesel locomotives were used, making this the last such system in England. Included within the scheduled area are a c. 4mile (6.12km) section of the line



from Team Valley to Leam Lane; the colliery and railway workshops at the former Springwell Colliery; and, the two hauler houses (at Blackfell and Blackhams Hill) used on the rope inclines.

- 5.7 The significance of the monument lies in the archaeological evidence it holds about technological advancements in the development of early railways in England. A substantial part of the alignment of the Bowes Railway dating from 1826 is now preserved for the Nation as a scheduled monument which can generally be freely visited, experienced and appreciated by the public. That part of the railway which is scheduled contains the world's only preserved and partly operational standard-gauge cable railway system - the 1.5 miles between Springwell and Blackham's Hill Hauler House. It also includes the route of the incline south from Blackham's Hill to Blackfell Hauler House; the trackbed east to Leam Lane, and then west to the East Coast Mainline in the Team Valley. It is this latter part of the monument which is bridged by the A1 at Longbank.
- 5.8 The Bowes Railway is highly vulnerable to vandalism across its length. It is on Historic England's Heritage at Risk register (which includes structures which are found to be at risk following assessment based on criteria as to their condition and vulnerability and future security). and has been since the register began in 2001.

### **Historic England's Assessment of Impact on the asset**

- 5.9 The proposed works will cause substantial harm (as per NPPF para 195) to a limited part of the scheduled monument. On the southbound side of the A1 it is proposed to extend to the north-east a bridge arrangement over the line of the monument. The scheme drawings (see TR010031/APP/2.7(J) in Section 2.7 of the ES) show an indicative length of new construction to be approximately 16.7m. The development will require the excavation of two construction trenches into which numerous piles will be drilled at 1m intervals. This will impact on extant revetment walls on either side of the trackbed, and may potentially damage buried remains such as evidence of rails, trackbed construction and associated features.

- 5.10 The ES currently assesses that this will be a “minor” magnitude of impact (ES 6.1 Cultural Heritage para 6.10.2) which Historic England contends is not accurate as there will be a permanent removal of this part of the monument in the area affected and therefore the impact will be ‘major’, i.e. there will be ‘substantial harm’ (as per NPPF para. 195) to this part of the monument. We do, however, concur that overall there will be a ‘moderate adverse significance of effect’ or in NPPF terms, a ‘less than substantial harm’ to the overall significance of the monument. This will therefore require a balancing of the harm against the perceived public benefits of the scheme by the ExA.
- 5.11 Historic England have previously discussed mitigation with the Applicant and have agreed a general scheme with them which is set out in 6.1 Environmental Statement sections 6.9.4 – 6.9.10 and in Section 7.4 (the Outline CEMP).
- 5.12 However, in order to provide clarity on the ground during construction (to the main contractor and the appointed archaeological contractor) – should the DCO be granted – we advise that the Applicant provides a more detailed outline WSI to be agreed and submitted in support of the DCO. An example of what could be included within the outline WSI is attached in Appendix 4.
- 5.13 We discussed this with the Applicant and their agents at a meeting on 30th January 2020, so that the works to the Scheduled Monument can be appropriately designed, implemented and managed. We provided the example (in Appendix 4) of the type of outline WSI we expect to see and it is our understanding that a draft will be forthcoming for continued discussion between Historic England the Local Authority Archaeology Officer and the Applicant prior to submission to the ExA in due course.

## **6. DEVELOPMENT CONSENT ORDER (DCO)**

- 6.1 The purpose of Historic England’s comments on the DCO is to ensure that if appropriate mitigation measures are required to address any issues, that these are set out clearly in the DCO and undertaken and maintained to ensure that the protection and conservation of the historic environment is delivered. The

points raised below are issues that we consider need to be dealt to ensure that the significance of designated heritage assets is addressed.

## **Part 6, Operations**

- 6.2 *Article 39*: This article authorises the undertaker to carry out the specified works in Schedule 10 to the specified scheduled monument. However, no methodology and approach as to how these works will be carried out are then set out in Schedule 10, rather this is detailed within the draft outline CEMP.. With regards the changes to the draft outline CEMP, these are set out in Appendix 7.

## **Schedule 2, Part 1, Requirement 9**

- 6.3 Historic England find that the wording of Requirement 9 lacks clarity and should the DCO be granted might cause confusion, especially in relation to works affecting the scheduled monument. We have identified the need to clarify Requirement 9 with the Applicant and are in discussion with them about amending it. Our suggested amended wording for consideration is set out in Appendix 5.

## **Schedule 10**

- 6.4 Historic England considers that Schedule 10 does not accurately nor clearly state the extent of demolition that is being proposed. We have therefore set out what we understand to be the extent of demolition required within Appendix 6 and would advise that this clarification is provided and Schedule 10 amended to reflect this. As noted above, Schedule 10 does not deal with the methodology and approach as to how these works to the Scheduled monument will be carried out, rather this is detailed within the draft outline CEMP. This needs to be clearly worded so that there can be no misunderstanding of what can and cannot be done to the scheduled monument as part of the DCO. This is dealt with in more detail below.

## **Outline CEMP – Cultural Heritage (Chapter 7.4 of ES)**

6.5 We note that some refinement of wording is needed in CH2, CH3, CH5, CH6 and N8 to provide clarity; be enforceable; and, provide assurance that works to the Scheduled Monument will have the appropriate oversight of Historic England. We are in discussion with the Applicant about the proposed modifications we are advising with regards CH2, CH3, CH5, CH6 and N8 which we set out in more detail in Appendix 7.

## **7. STATEMENT OF COMMON GROUND (SoCG)**

7.1 Initial discussion with the Applicant regarding a draft Statement of Common Ground (SoCG) was carried out during pre-app stages up to August 2019. However no agreement was reached at that time as Historic England had not yet seen the full application to be satisfied that the content of the draft SoCG accurately reflected our position. We anticipate having further discussion with the Applicant prior to Deadline 2 (25th February 2020) in order to progress the content of the draft statement.

6.6 We highlighted the issues with Article 39; Requirement 9; Schedule 10 and the CEMP to the Applicant and their agents on 30th January 2020. The meeting was constructive and we look forward to receiving an update on the amendments for further discussion, if required, to address those matters and this can be reflected in the draft SoCG.

## **8. CONCLUSION**

8.1 Historic England considers that there remain to be addressed various issues regarding the impact this proposal will have on the Bowes Railway Scheduled Monument. These are detailed below.

- An outline WSI setting out a clear structure and methodology to be followed including: responsibilities; any pre-construction requirements; relevant guidance; contents of the detailed (final) WSI including all methodologies (incorporating outline CEMP items CH2, CH3 and CH6);

reporting; archive deposition; interpretation strategy (incorporating outline CEMP item CH5); and monitoring needs to be agreed and submitted as part of the DCO. An example of what could be done is included in Appendix 4.

- Amendments to Requirement 9 to ensure clarity and understanding of actions required as part of the DCO.
- Amendments to Schedule 10 to be clear on the extent of demolition that is proposed.
- Amendments to certain provisions within the Outline CEMP.

8.2 The scheme provides the potential to provide public benefit in the form of heritage benefits through repairs to revetment walls on the Bowes Railway scheduled monument and the enhanced interpretation of the monument and its national importance.

8.3 Historic England is keen to ensure that the matters highlighted in our Written Representations are addressed and that they can be resolved through discussion as part of a positive, constructive dialogue with the Applicant. This will then ensure that the impact of the proposals will have been avoided or mitigated with regards the historic environment and any benefits appropriately secured as part of the DCO.

8.4 This section concludes the Written Representation of Historic England.

## **9. APPENDICES**

Appendix 1: S56 Representations

Appendix 2(a): ES Scoping Letter to PINS

Appendix 2(b): S42 Duty to Consult Letter

Appendix 3: Description of the scheduled monument from the National Heritage List for England

Appendix 4: Outline WSI example

Appendix 5: Proposed amendments to wording of Requirement 9: Archaeological Remains

Appendix 6: Proposed amendments to wording of Schedule 10

Appendix 7: Proposed amendments to CEMP CH2, CH3, CH5, CH6 and N8



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**APPENDICES  
FOR WRITTEN REPRESENTATIONS**

**ON BEHALF OF THE**

**HISTORIC BUILDINGS AND MONUMENTS COMMISSION FOR ENGLAND  
(HISTORIC ENGLAND)**

**Application by**

**Highways England for an Order granting Development Consent for the  
A1 Birtley to Coal House Improvement Scheme, Tyne & Wear**

**PINS Reference No: TR010031**

**Historic England Reference No: PL00552195**

**Deadline 1 Submission**

**04 February 2020**



### A1 Birtley to Coal House Scheme

#### Section 56: Registration of Interest by the Historic Buildings and Monuments Commission for England (Historic England)

##### Introduction

Historic England (HE) is the Government's statutory adviser on the historic environment. It is our duty under the *National Heritage Act 1983* to secure the preservation and enhancement of the historic environment. Our objective is to ensure that the historic environment generally and, in particular, designated heritage assets, are fully taken into account in the determination of this DCO.

The proposal is to widen the A1 between J65, Birtley, and J67, Coal House, including replacing the ~~Allardene~~ Bridge. This will directly impact on a scheduled monument known as the Bowes Railway.

We have had pre-application with Highways England on this project and in principle support the scheme but note some issues which are not fully addressed within the DCO documents: a need for clarification of the Written Scheme of Investigation (WSI) which will be prepared following engagement with HE and then submitted for approval by the LPA in consultation with HE; and a need to clarify the implementation of restoration works and interpretation.

##### **1) Nationally important designated archaeology:**

###### **Bowes Railway Scheduled Monument**

The Bowes Railway (1826) is the world's only standard gauge rope hauled railway. A short portion of the railway is located in a tunnel to allow the A1M to over-sail the monument.

The southbound extension will require an addition to the tunnelling arrangement to protect the route of the monument (also known as the Long Bank Bridleway PROW). These works will cause direct impact to it and result in permanent adverse impacts through the loss of two retaining wall sections.

We have agreed proposed mitigation set out in the submitted CEMP document, but the relevant "Requirements" section of the draft DCO does not clarify that the WSI is to be prepared following engagement with both HE and the LPA. In addition, there needs to be specific "Requirements" for undertaking CH5 and CH6 in the CEMP as they will not form part of the WSI. We note that *Schedule 10: Scheduled Monuments* does not include agreed mitigation to repair sections of the railway retaining wall as part of the works to be carried out. These items need to be addressed.

##### **2) Non-designated heritage assets (para 5.125 NPSNN):**

###### **The Angel of the North**



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Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available







The Angel of the North sculpture by Anthony Gormley is an internationally recognised symbol of Gateshead and Tyneside and of considerable artistic and social value. Whilst the sculpture is not formally designated as heritage, it has a setting akin to many historic landmarks. We support the proposed mitigation to thin trees within the highway boundary to provide better views of The Angel. However, we do wish to see more information on the impact that proposed highway signage and gantries may have on views towards The Angel. We are content that the Local Authority leads on this matter.

**Conclusion**

In view of the above comments, Historic England wish to ensure that the Examining Authority are aware of our position and have the necessary information in order to inform its decision on this application.

For these reasons, Historic England wishes to register as an interested party for the DCO Examination.

14<sup>th</sup> November 2019



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## Appendix 2(a): 2017 ES Scoping Letter to PINS



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Ms Emma Cottam  
The Planning Inspectorate, Environmental  
Services Team  
Major Casework Directorate  
Temple Quay House, The Square  
Bristol  
BS1 6PN

Direct Dial: 0191-269-1239

Our ref: PL00215822

1 December 2017

Dear Ms Cottam

**Re: Application by Highways England for an Order granting Development Consent for the A1 Birtley Coal House Improvement Scheme: ENVIRONMENTAL IMPACT ASSESSMENT (EIA) SCOPING OPINION**

Thank you for your letter received on 8th November 2017 consulting us about the above EIA Scoping Report Opinion.

This development could, potentially, have an impact upon 23 designated heritage assets and their settings in the area around the site. In line with the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

Our initial assessment agrees with the list of designated heritage assets within 1km of the proposed development as identified by the Scoping Report in Table 7-1. We would draw your attention, in particular, to the following scheduled monument which will be directly impacted by the scheme:

- Bowes Railway HA 1003723

We would also expect the Environmental Statement to consider the potential impacts on non-designated features of historic, architectural, archaeological or artistic interest, since these can also be of national importance and make an important contribution to the character and local distinctiveness of an area and its sense of place. This information is available via the local authority Historic Environment Record ([www.heritagegateway.org.uk](http://www.heritagegateway.org.uk)) and relevant local authority staff. The Scoping Report does identify non-designated heritage assets within a 500m study area in Table 8-2.

We would strongly recommend that Highways England involves the Conservation Officer of Gateshead Borough Council and the Archaeological Officer at Newcastle City Council in the development of this assessment. They are best placed to advise



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on: local historic environment issues and priorities; how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

The assessment should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits, and can also lead to subsidence of buildings and monuments.

We have the following comments to make regarding the content of the Scoping Report:

The submitted EIA Scoping report has a cultural heritage chapter which identifies the baseline data. Of particular interest is that the proposed development crosses over the scheduled monument known as "Bowes Railway" (HA 1003723). The Railway and all associated buildings, track, and other features, is a scheduled monument. The monument is also included on Historic England's Heritage at Risk register.

The setting and significance of the monument should be considered at an early stage to inform development and design and not after the design has already been decided. The setting assessment should follow best practice standards and guidance as set out in "Good Practice Advice in Planning - Note 3: The setting of Heritage Assets." (Historic England March 2015) and "Good Practice Advice in Planning - Note 2: Managing Significance in Decision Taking in the Historic Environment" (Historic England March 2015). The latter is in addition to guidance mentioned in para 8.7.12 of the Scoping Report.

Historic England has not yet been consulted about potential enhancement measures for the Bowes Railway (para. 8.5.6), but we look forward to having discussions with Highways England in due course. It is reassuring that the need for Scheduled Monument Consent for works at Bowes is recognised and highlighted several times in the report.



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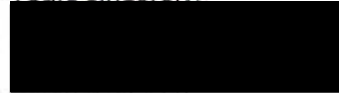


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We would welcome early discussions with Highways England in order to agree the key issues with regards to Bowes Railway which will need to be addressed within the EIA.

Yours sincerely



Lee McFarlane  
Inspector of Ancient Monuments  
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cc: Mrs J Morrison, Archaeology Officer, Newcastle City Council



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## Appendix 2(b): S42 Duty to Consult Letter



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Ms Nicola Wilkes  
Highways England  
RIP North  
Lateral  
8 City Walk  
Leeds  
LS11 9AT

Direct Dial: 0191-269-1239

Our ref: PL00338602

19 March 2018

Dear Ms Wilkes

### **A1 BIRTLEY TO COAL HOUSE IMPROVEMENT SCHEME: STATUTORY CONSULTATION PLANNING ACT 2008 SECTION 42: DUTY TO CONSULT ON A PROPOSED APPLICATION (A1B2CH)**

Thank you for consulting with Historic England on 8th February 2018 regarding the proposed Development Consent Order (DCO) for the above highway improvement works on the A1 in Gateshead. Following the Stakeholder meeting held on 8th March 2018 I am now in a position to offer advice on the proposed DCO.

#### **Proposal**

The proposed works are described in your submitted information as:

- widening of the southbound route to four lanes between the Birtley junction and Team Valley junction of the A1 Western by-pass;
- widening of the northbound route to three lanes with lane gain/drop between junctions to provide additional capacity;
- offline replacement of the road bridge over the East Coast Mainline;
- widening / extension of other existing structures;
- providing an improved road alignment.

At the Stakeholder meeting we were advised that it was likely that widening works would mostly occur on the north side of the southbound carriageway in order to reduce impacts to the existing housing to the south of the northbound carriageway.

#### **Significance**

The proposed scheme will have a direct impact on the Bowes Railway scheduled monument (National Heritage List for England 1003723). In addition it may have an indirect impact on the setting of Lamesley Conservation Area and the following Gr. II listed buildings within it: Church of St. Andrew (NHLE 1025154); Tomb of Robert Moscrop (NHLE 1355109); Temple Meads (NHLE 1025153); and the Old Vicarage & Kenmore (NHLE 1355108). Although not a nationally designated heritage asset, the



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proposed works will also have an impact on views of The Angel of The North sculpture. This is a locally and regionally important non-designated heritage asset, arguably of national significance as a well-known regional landmark in the North East of England.

The significance of the Bowes Railway lies in its preservation of the technological advancement it represents and the upstanding remains of the associated sheds, track, workshops, hauler houses and incline. It opened in 1826 as a rope-hauled colliery railway designed by George Stephenson. The scheduled part of the railway contains the world's only preserved and operational standard-gauge cable railway system - the 1.5 miles between Springwell and Blackham's Hill Hauler House. It also includes the route of the incline south from Blackham's Hill to Blackfell Hauler House and west down to the East Coast Mainline in the Team Valley. It is this part of the monument which is bridged by the A1 at Longbank. The Bowes Railway is on Historic England's Heritage at Risk register as it is highly vulnerable to vandalism across its length.

Lamesley Conservation Area is a quiet, dispersed hamlet on the valley floor of Team Valley, with little post 20th century development. It has its roots in a medieval settlement but most of the buildings today date from the 19th century onwards.

The statue of the Angel of The North was designed by the internationally recognised sculptor Sir Anthony Gormley. It was commissioned by Gateshead Borough Council to be erected on the reclaimed site of former pithead baths and has become one of the most recognisable and loved pieces of public art in the country. Its proximity to the A1 influenced its design in that it is meant to be seen and appreciated by drivers along its route. In this way it acts as a symbol of Tyneside and the North East. It follows that changes to the course of the A1 and its embankment will have an impact on its significance.

### Impact

There will be a direct impact on the Bowes Railway at Longbank. I understand that the current design proposals (yet to be finalised) will require the current underpass to be lengthened on the north side of the southbound carriageway. This will cause harm to the monument. I recommend that the designs and a suitable mitigation strategy are discussed with myself before they are finalised and submitted for the DCO. The mitigation will also need to take into account the impact of any improvement measures put in for non-motorised users at this point. In addition, there may be opportunities to improve interpretation for users of the bridleway and I understand that you have been having conversations with the Conservation Officer at Gateshead Borough Council about this.

Scheduled monument consent (SMC) will be required for any works which will harm or damage the monument. You will need to ensure that consent is applied for once all the details regarding the design, impacts and mitigation have been finalised. The SMC



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process, like that of the DCO, is quite prescriptive. I welcome further discussion on these matters prior to submission of the SMC and DCO to ensure that amendments are not required.

The consultation brochure indicates that land directly to the north of the Lamesley Conservation Area may be temporarily required during construction. Should construction compounds etc. be placed here there could be a negative impact on the setting of the Conservation Area. This will need to be assessed and mitigation proposed as part of the DCO.

Widening of the southbound slip road to junction 66 at Eighton Lodge may require earthworks to the existing wooded embankment area to the south of the Angel of The North. There may be opportunities here to carry out tree works to re-open views towards the Angel from both the A1 and further away from the East Coast Mainline. Over the past 20 years, trees have matured and copses have become denser, thus restricting views. There would be public benefit if landscaping strategies could improve these glimpsed views.

#### Policy

As ever, when dealing with designated heritage assets in the planning system you should be mindful of the positive contribution that they can make to our communities (National Planning Policy Framework Para. 131), and that where harm or loss may be required there should be clear and convincing justification provided in order to permit the public benefit of the proposed scheme to be weighed against the harm or loss of significance to the assets (NPPF paras 132-134). The same applies with regards to SMC, as the Secretary of State will have particular regard to only granting consent to wholly exceptional cases which could result in substantial harm to, or loss of significance of a scheduled monument; or, in cases which will lead to less than substantial harm to the significance of the monument, the harm will be weighed against the public benefits.

I look forward to having discussions with you in the months leading up to the DCO being submitted to PINS regarding the items discussed above to ensure that all the necessary supporting documents and plans are available. This will help to ensure that the SMC application process is straightforward.

Yours sincerely



Lee McFarlane  
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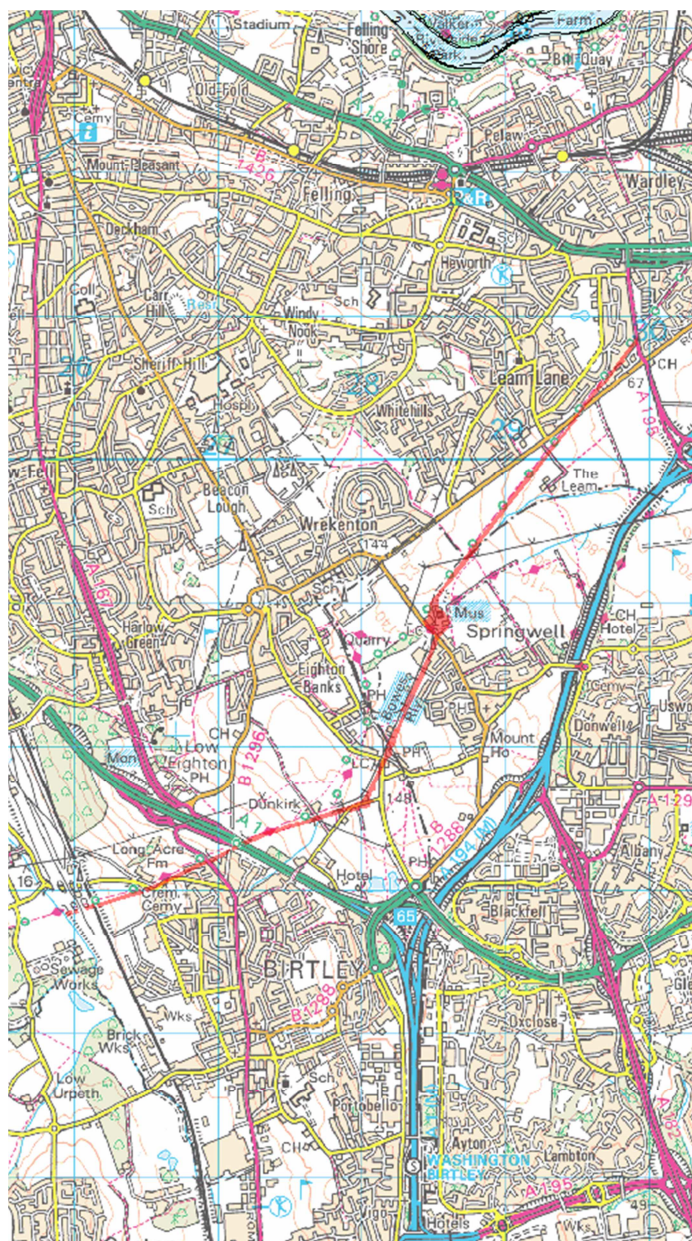
## Appendix 3: Description of the scheduled monument from the National Heritage List for England

### Overview

Heritage Category: Scheduled Monument

List Entry Number: 1003723

### Map



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The above map is for quick reference purposes only and may not be to scale. For a copy of the full scale map, please see the attached PDF - [1003723.pdf \(opens in a new window\)](#)



This copy shows the entry on 04-Feb-2020 at 14:41:20.

## **Location**

The building or site itself may lie within the boundary of more than one authority.

District: Gateshead (Metropolitan Authority)  
Parish: Lamesley  
District: Sunderland (Metropolitan Authority)  
National Grid Reference: NZ 25962 56839, NZ 26008 56855, NZ 26103 56886, NZ 26314 56946, NZ 26702 57096, NZ 27001 57238, NZ 27115 57295, NZ 28538 58864

## **Summary**

Not currently available for this entry.

## **Reasons for Designation**

Not currently available for this entry.

## **History**

Not currently available for this entry.

## **Details**

This record has been generated from an "old county number" (OCN) scheduling record. These are monuments that were not reviewed under the Monuments Protection Programme and are some of our oldest designation records. As such they do not yet have the full descriptions of their modernised counterparts available. Please contact us if you would like further information.

## **Legacy**

The contents of this record have been generated from a legacy data system.

Legacy System number: TW 7  
Legacy System: RSM - OCN

## **Legal**

This monument is scheduled under the Ancient Monuments and Archaeological Areas Act 1979 as amended as it appears to the Secretary of State to be of national importance. This entry is a copy, the original is held by the Department for Digital, Culture, Media and Sport.

End of official listing

## Annex F: Outline Written Scheme of Investigation

### 1 Introduction

1.1.1 The Development Consent Order includes a requirement that secures the implementation of this Outline Written Scheme of Investigation (WSI). HBMCE have advised at all stages of the DCO process in their capacity as statutory consultee on NCIP projects.

#### 1.1 Purpose

1.1.1 This Outline WSI provides a general overview of the standards and guidance under which the archaeological mitigation, including post-excavation analysis and publication would be undertaken.

1.1.2 This Outline WSI would inform a detailed WSI which would be produced by the archaeological contractor appointed to undertake the archaeological mitigation. No archaeological works will commence until the Detailed WSI has been approved by the Senior Development Officer (Historic Environment) at Cornwall Council (SDOHE), and in the event that remains of potentially national importance be affected, HBMCE (Historic England).

1.1.3 This Outline WSI should be read in conjunction with Annex S: Outline Archaeological Framework Strategy, which provides details of the mitigation being discussed with the SDOHE at the time of writing. It also sets out the proposed lines of communication and responsibilities at the mitigation delivery stage.

#### 1.2 Structure and Scope of the Outline Written Scheme of Investigation

1.2.1 This document comprises an Outline Written Scheme of Investigation (WSI) and is based on the information available at the preliminary design stage. As the detailed design progresses, the plan would be reviewed and updated accordingly.

1.2.2 The detailed WSI will outline the methods and procedures for the identification and treatment of any archaeological remains that may be discovered during construction. Including any mitigation of effects on archaeological remains through archaeological excavation and preservation of archaeological remains.

1.2.3 The WSI would be implemented prior to and during the construction of the scheme and all construction staff would be required to follow its provisions.

1.2.4 The Written Scheme of Investigation must be read in conjunction with the detailed Construction Environmental Management Plan (CEMP).

1.2.5 The contractor will manage the impact of construction works on cultural heritage assets.

#### 1.3 Responsibilities

1.3.1 The Archaeological Contractor (AC) will be responsible for undertaking the fieldwork and post-excavation assessment, analysis, reporting and archiving.

The AC will be a Registered Organisation (RO) with the Chartered Institute for Archaeologists (Cifa) and will provide a project manager to direct the survey work who has Cifa membership (or equivalent experience) to at least Associate level, and with demonstrable experience of managing large-scale archaeological projects. The AC will adhere to the Detailed WSI approved under Requirement 9 of the DCO, and will be responsible for staffing the project, following suitable standards of recording and reporting.

- 1.3.2 The AC will work in accordance with the relevant guidance documents listed in Section 2.2.
- 1.3.3 The Consultant Archaeologist will be responsible for monitoring the AC to ensure compliance with the Detailed WSI on behalf of Highways England.
- 1.3.4 The SDOHE will be responsible for approval of the Detailed and site-specific WSIs and for monitoring the works to ensure compliance with DCO Requirements.
- 1.3.5 HBMCE will advise the SDOHE at Cornwall Council in the event that archaeological remains of potentially national significance are encountered, and with respect to specialist scientific requirements.

## 2 Cultural heritage general provisions

### 2.1 Pre-construction requirements

- 2.1.1 All archaeological works shall be governed by a Detailed Written Scheme of Investigation (WSI). This will be produced and agreed with the SDOHE to manage the pre-construction archaeological investigations required as mitigation for the direct impacts of the scheme. This will include:
  - An overarching Written Scheme of Investigation (WSI) which will describe common standards and approaches to the recording of archaeological deposits that will be applied on the project;
  - Site-specific WSIs for areas of detailed archaeological excavation and 'Strip-Map-Sample', which will include detailed research objectives for the works;
  - Clear commitments for post excavation analysis, archiving, reporting, and where appropriate, publication; and
  - A list of specialists and their qualifications.

### 2.2 Relevant Guidance

- 2.2.1 As a minimum, the archaeological mitigation will be undertaken according to the following professional standards and guidance:
  - DMRB Volume 10, Section 6: Archaeology (DfT 2008);
  - Standard and guidance for archaeological excavation (Cifa 2014);
  - Standard and guidance for an archaeological watching brief (Cifa 2014);
  - Code of Conduct (Cifa 2014);
  - Standard and guidance for the creation, compilation, transfer and deposition of archaeological archives (Cifa 2014);
  - Archaeological Archive: A guide to best practice in creation, compilation, transfer and curation (Archaeological Archives Forum 2011);

- Preserving Archaeological Remains (Historic England 2016)
- Guidelines on the X-radiography of Archaeological Metalwork (Historic England 2006);
- Management of Research Projects in the Historic Environment (MoRPHE) (Historic England 2006);
- Investigative Conservation (Historic England 2008);
- Environmental Archaeology: A Guide to the Theory and Practice of Methods, from Sampling and Recovery to Post-excavation (2nd Ed) (Historic England 2011);
- Animal Bones and Archaeology: Recover to Archive (Historic England 2019);
- Digital Image Capture and File Storage: Guidelines for Best Practice (Historic England 2015);
- Metric Survey Specifications for Cultural Heritage (Historic England 2015);
- Updated Guidelines to the Standards for Recording Human Remains (CIFA, 2017).

2.2.2 The Detailed Site-Specific WSIs will set out explicitly the application of the above standards and guidance for each mitigation area.

## 2.3 Contents of Detailed WSI

2.3.1 The Detailed WSIs will include the following:

- Location of site(s) covered by the WSI
- Requirement for the Work
- Background to the Scheme (DCO history).
- Archaeological and Historical Background.
- Research Design: This should demonstrate a clear understanding of the archaeological work's academic aims and objectives and clear research questions that are site/area specific.

2.3.2 Archaeological recording methodology:

- The archaeological contractor should examine information held by the Cornwall & Scilly Historic Environment Record (HER), the Cornwall Records Office at Truro and the Cornwall Centre at Redruth (all to become part of Kresen Kernow from September 2019), where appropriate, and the results of any previous archaeological assessments or investigations.
- An archaeologist shall be present during all ground works associated with the development, unless circumstances dictate a different approach.
- The archaeological recording method should be defined for each separate working site or area within the overall scheme, such as area excavation, strip-map-and record, sampling, or watching brief, and the reasons specified in each case.
- A toothless grading bucket can be used for the removal of any overburden until the first archaeological horizon is exposed. This will then be hand cleaned as appropriate.
- Surviving remains which will be disturbed or destroyed by the development shall be archaeologically excavated and/or recorded by the stated method.
- A methodology for the excavation, survey, recovery and recording of archaeological contexts and artefacts shall be provided.

- The site will be tied into the national grid.
- Site planning policy shall be given in the WSI. The normal preferred policy for the scale of archaeological site plans is 1:20 and sections 1:10, unless circumstances indicate that other scales would be more appropriate.
- Photographic record shall be a comprehensive record to archive standard of all the features and artefacts revealed.
- The photographic record shall consist of either, a) chemical prints in both black and white and colour together with the negatives, or b) digital photography in un-compressed TIFF format following the guidelines set out in 'Digital Image Capture and File Storage: Guidelines for Best Practice' (Historic England, July 2015). Digital images may be used for report illustration.
- For both general and specific photographs, a photographic scale shall be included.
- In the case of detailed photographs it may be appropriate to include a north arrow.
- The photographic record shall be accompanied by a photographic register detailing as a minimum, feature number, location and direction of shot.

### 2.3.3 Finds methodology:

- the detailed WSI will state the circumstances in which the Treasure Act 1996 and the Treasure (Designation) Order (2002) apply and how will this be actioned.
- All artefacts, will be retained from each archaeological context excavated.
- Artefacts will be cleaned, conserved, marked, bagged and boxed in accordance with best professional practice (E.g. First Aid for Finds; HE Guidance; Museum Standards; Chartered Institute for Archaeologist's 'Standard and guidance for the collection, documentation, conservation and research of archaeological materials' (CIfA, December 2014)).
- All artefacts will be treated in a proper manner and to standards agreed in advance with the recipient museum.
- Artefacts will be cleaned, conserved, marked, bagged and boxed in accordance with best professional practice (E.g. First Aid for Finds; HE Guidance; Museum Standards).
- The WSI shall include an agreed list of specialist consultants, who may be required to conserve and/or report on finds, and advise or report on other aspects of the work including environmental sampling or the development of specific excavation methods for the recovery of artefacts.
- Provision should be made for the project conservator to visit site and to advise where appropriate.
- Conservation of artefacts and objects will be undertaken in line with relevant standards and guidance and provision should be made for investigative conservation as a contingency.
- There will be a requirement for X-Radiography of metal objects in line with Historic England's 'Guidelines on the X-radiography of archaeological metalwork' (2006).
- Conservation and storage shall be agreed with the Royal Cornwall Museum prior to the start of work, and confirmed in writing to the SDOHE.
- Finds work should be to accepted professional standards and adhere to the Chartered Institute for Archaeologist's 'Standard and guidance for the

collection, documentation, conservation and research of archaeological materials' (CIfA, December 2014).

#### 2.3.4 Scientific analyses and research:

- A scientific dating strategy will be developed and included within all WSIs, in consultation with a scientific dating specialist or chronological modelling specialist. Development of this strategy at an early stage will ensure that the excavation methods employed are selected or targeted to ensure recovery of appropriate material for scientific dating and that adequate research questions are developed to target this. The Historic England Science Advisor will be able to provide further advice if required.
- Where waterlogged or organic remains, or mineralised remains, are identified or suspected, a detailed strategy for sampling and assessment shall be produced in consultation with the relevant appointed specialist.
- A targeted fit for purpose whole earth sampling strategy will be developed in the Written Scheme of Investigation, site specific targeted strategies will be developed within the site specific WSIs to address the aims and objectives of the project. The appointed specialists will input to the development of the strategy.
- Site specific research questions shall be developed in consultation with relevant specialists, drawing on the results of assessment of artefacts, ecofacts and archaeological deposits from evaluation stage, to ensure that specialist sampling strategies are considered, devised and included within the Written Scheme of Investigation and Site Specific WSIs.
- Provision should be made for specialist sampling to be undertaken for palaeoenvironmental assessment and analysis.
- Whole earth samples shall be taken from discrete features, layers and deposits in a targeted manner in order to address specific research questions or project aims and objectives, and should comprise 100% of features <40L in volume or a 40-60L sample should be taken where this is feasible.
- Provision shall be made for archaeological and geoarchaeological assessment and dating of buried soil horizons or buried land surfaces.
- Preparation, taking, processing and assessment of environmental samples will be in accordance with Historic England's 'A Guide to the Theory and Practice of Methods, from Sampling and Recovery to Post-excavation (2nd ed.)' (2011).
- Provision should be made for processing of all environmental samples during the fieldwork stage of the project, with samples processed and assessed within two-three weeks of collection. The results should be fed back to the fieldwork project team.
- Recovery of faunal remains should be considered in consultation with the relevant specialist and Historic England's Animal Bones and Archaeology Handbook (2019) and a strategy should be presented within the WSI and Site Specific WSIs where appropriate.

#### 2.3.5 Human Remains:

- Human remains must not be excavated without the appropriate licence.
- Human remains must initially be left in situ and reported to the SDOHE and the appropriate authorities.

- If the human remains are archaeological and greater than 100 years old, the Ministry of Justice must be contacted for the appropriate licence before excavation may commence. The coroner or the police need not be informed of the discovery of human remains if they are properly interred in a recognised burial ground or if there is reason to suppose that the burial is more than 100 years old.
- If human remains are to be preserved in situ, this should be carefully considered and the methods by which the remains will be preserved and by which their security will be secured, should be discussed and agreed with the SDOHE.
- If human remains are to be removed this must be done with due reverence and in accordance to current best practice and legal requirements. The site must be adequately screened from public view.
- Current best practice available is: 'Guidance for Best Practice for the Treatment of Human Remains Excavated from Christian Burial Grounds in England' (Advisory Panel on the Archaeology of Burials in England (APABE), February 2017) irrespective of religion or period (see also HE Guidance & ClfA guidance).
- The WSI will describe a detailed strategy for the investigation, treatment, recovery, and assessment/ analysis of human remains (inhumations, cremations, disarticulated / charnel remains) which will be developed in consultation with an Osteoarchaeologist (e.g. Historic England, 2018; APABE, 2017; Historic England, 2013; and McKinley and Roberts, 1993). It is expected that human remains will be excavated and assessed by an Osteoarchaeologist, that remains will be lifted and subject to full assessment and analysis.
- Provision should be made for the project Osteoarchaeologist to visit site during excavation.
- Human remains should be interred in the relevant archive repository following assessment and analysis.

### 2.3.6 Staffing, legislation and programme:

- Provide details of the senior project staff, specialists (whether in house or sub-contractors) and the intended on-site archaeologists, indicating their suitability to undertake the project (CVs may be requested) - the on-site archaeological project staff must have relevant and appropriate experience of at least three years.
- Demonstrate that the recording work will be undertaken in accordance with all relevant health and safety legislation.
- Demonstrate an understanding of the relevant legislation pertaining to human burial.
- Define and account for non-archaeological constraints; these include: live services, access routes and rights of way, the presence of statutory and non-statutory ecological areas, protected species and tree preservation orders.
- Provide a provisional programme outlining relevant aspects of post-fieldwork analysis, the completion of the project archive and the submission of a project report. This will include to include specific overarching post-excavation principles and an outline the basic principles for processing of artefacts or environmental samples; treatment of artefacts (including treasure), human

remains, ecofacts or archaeological materials; or the conservation of archaeological materials.

## 2.4 Reporting

2.4.1 A programme of archaeological reporting, post excavation and publication will be required.

2.4.2 A technical report will be produced that would be commensurate to the findings of the mitigation. This will describe the findings of the archaeological works, with detailed consideration and assessment of finds. The scope of analysis and contents of the report will require the approval of the SDOHE. As a minimum it will include:

- A concise, non-technical summary.
- The aims and methods adopted in the course of the archaeological works.
- The detailed description and specialist interpretation of all archaeological material recorded by the archaeological investigations (the report should propose an interpretation for the dating and development of the site on the basis of the information collected and should provide an appropriate level of discussion of the evidence presented within the report).
- Appropriate illustrative material such as maps, plans, sections, drawings and photographs and including site location plan at 1:2500; site plan at 1:1250, and additional plans as appropriate (adequate photographic coverage (properly captioned) should be included regardless of whether the project produced positive or negative results; the report should also include photographs that place the site in context).
- Specialist report(s) in full (e.g. human remains, finds, environmental assessments) with the author(s) acknowledged; significant finds, including pottery, should be illustrated (drawn or photographed, as appropriate).
- An HER entry summary sheet.
- A detailed record of the contents of the project archive, including physical archive.
- Information on the arrangements for the long-term deposition of the archive.

2.4.3 The report must place the findings of the archaeological works in their local and regional context, having made a comprehensive assessment of the regional context within which the archaeological evidence rests, and made reference to relevant research agendas (South West Archaeological Research Framework) and to cartographic, documentary and other research.

2.4.4 It is envisaged that in addition to a technical report on the specific findings of the archaeological works, a 'popular' report would also be produced. This would set the results of the A30 mitigation within a local context and describe the archaeological development of the A30 as a historical routeway. The scope of this publication would be agreed with SDOHE and HBMCE in light of the findings of the archaeological mitigation.

## 2.5 Archive Deposition

2.5.1 An ordered and integrated site archive will be prepared in accordance with 'Management of Research Projects in the Historic Environment: The MoRPHE



Project Managers' Guide' (Historic England, April 2015) upon completion of the project.

- 2.5.2 The requirements for archive storage shall be agreed with the Royal Cornwall Museum (RCM).
- 2.5.3 There is considerable benefit to engaging with the Royal Cornwall Museum from an early stage. It is recommended that early consideration be given to engaging with the accessioning museum, particularly considering artefact retention policies.
- 2.5.4 The archive, including a copy of the written report, shall be deposited with the Royal Cornwall Museum within two months of the completion of the full report and confirmed in writing with the SDOHE.
- 2.5.5 If finds are to remain with the landowner, a full copy of the documentary archive shall be housed with the Royal Cornwall Museum.
- 2.5.6 Should deposition of archaeological archives be temporarily suspended (e.g. due to space restrictions) by the RCM, then other arrangements will be agreed with the RCM for the temporary retention of the archive by the archaeological contractor until such time as long-term deposition can be resumed. The current location (at time of writing) of the archive shall be made explicit in the project report.
- 2.5.7 Copy of the report(s) will be supplied to the National Monuments Record (NMR) in Swindon, a digital copy supplied to the Archaeological Data Service (ADS), York, and an OASIS report submitted.
- 2.5.8 Summary of the contents of the archive shall be supplied to the SDOHE.

## 2.6 Integrated interpretation strategy

- 2.6.1 The scheme will deliver environmental benefits to offset the impacts of the junction design, in addition to benefits already embedded in the design. These will include, but are not limited to:
- Interpretation boards will be installed in consultation with HBMCE.
  - The contractor will clear the scrub at Warren's Barrow during construction to aid the barrow to be removed from the Heritage at Risk register.
  - The contractor will provide cultural heritage interpretation in the underpass at Newlyn Downs in consultation with Historic England.

## 2.7 Monitoring

- 2.7.1 The Consultant Archaeologist would be responsible for all liaisons with the SDOHE.
- 2.7.2 SDOHE will monitor the work and should be kept regularly informed of progress.
- 2.7.3 Notification of the start of work shall be given preferably in writing to the SDOHE at least one week in advance of its commencement.
- 2.7.4 Variations to the WSI shall be agreed with the SDOHE, preferably in writing, prior to them being carried out.

- 2.7.5** Significant new or unexpected deposits are discovered not covered by the approved WSI, all works must temporarily cease and a meeting convened with the archaeological contractor and the SDOHE to discuss the most appropriate way forward.

## **Appendix 5: Proposed amendments to wording of Requirement 9:**

### **Archaeological Remains**

(1) No part of the authorised development is to commence until a final written scheme of investigation (FWSI) has been submitted to and approved in writing by the Secretary of State in consultation with the relevant planning authority and Historic England. The FWSI shall be in accordance with the mitigation measures included in the REAC and the outline written scheme of investigation (OWSI).

(2) The authorised development must be carried out in accordance with the final written scheme of investigation referred to in sub-paragraph (1) unless otherwise agreed in writing by the Secretary of State.

(3) A programme of archaeological reporting, post excavation and publication required as part of the final written scheme of investigation referred to in sub-paragraph (1) must be agreed with Gateshead Borough Council's archaeological advisor and Historic England and implemented within a timescale agreed with Gateshead Borough Council's archaeological advisor and Historic England and deposited with the Historic Environment Record of the relevant planning authority within one year of the date of completion of the authorised development or such other period as may be agreed in writing by the relevant planning authority.

(4) Any archaeological remains not previously identified which are revealed when carrying out the authorised development must be subject to appropriate mitigation and agreed with Gateshead Borough Council's archaeological advisor, or with Historic England in the case of remains associated with the scheduled monument, as soon as reasonably practicable.

(5) No construction operations are to take place within 10 metres of the remains referred to in sub-paragraph (4) for a period of 14 days from the date they are identified unless otherwise agreed in writing by the Secretary of State.

## **Appendix 6: Proposed amendments to Schedule 10, Column 2**

The phrase in red text has been added as the proposed amendment

- Demolition of stone retaining walls **(up to a maximum of 17m in length) on either side of the former trackbed of the monument**

## Appendix 7: Proposed amendments to CEMP sections CH2, CH3, CH5, CH6 and N8

<p><b>CH2:</b></p>	
<p><b>Current Action</b></p> <p>Prior to construction, an archaeological WSI will be agreed with Historic England and the local authority in relation to archaeological works during construction required within the railway cutting associated with the Bowes Railway Scheduled Monument (1003723) and the Scheme Footprint. The WSI will include those actions detailed within CH2, CH3, CH4, CH5, CH6, CH7, and N8 of this CEMP. The WSI will be submitted to and approved by the SoS in consultation with Historic England and the local authority prior to the commencement of any works on site.</p>	<p><b>Historic England proposed amendments</b></p> <p>Prior to construction, a <b>Final</b> archaeological WSI will be agreed with Historic England and the local authority in relation to archaeological works required during construction within the railway cutting associated with the Bowes Railway Scheduled Monument (HA 1003723) and the Scheme Footprint. The <b>Final WSI will be in accordance with the Outline WSI</b> and include those actions detailed within CH2, CH3, CH4, CH5, CH6, CH7, and N8 of this CEMP. The WSI will be submitted to and approved <b>in writing by the local planning authority in consultation with Historic England</b> prior to the commencement of any works on site.</p>
	<p><b>Historic England's justification for changes</b></p> <p>Historic England is seeking clarity over the wording of the CEMP actions. The reason is to address our concerns to safeguard and mitigate impacts to the historic environment.</p>

<b>CH3</b>	
<p><b>Current Action</b></p> <p>The section of masonry retaining wall associated with Bowes Railway SM (1003723) to be demolished will be dismantled by a suitably qualified archaeologist to record any archaeological features. A method statement will be produced for these works and will form part of the WSI. A written, drawn and photographic record of the dismantling will be compiled by the archaeologist (main contractor). This record will be approved by the SoS in consultation with Historic England</p>	<p><b>Historic England proposed amendments</b></p> <p>The <b>dismantling of the</b> section of masonry retaining wall associated with Bowes Railway SM (1003723) <b>during construction</b> will be monitored by a suitably qualified archaeologist to record any archaeological features <b>which may be uncovered</b>. A method statement <b>must be produced by the Main Contractor for how and when the dismantling will occur and will help to inform the archaeological monitoring and to be required as part of the Final WSI. The methodology, including the timing of the works, will be submitted in writing to and approved by the Local Planning Authority in consultation with Historic England.</b></p>
	<p><b>Historic England's justification for changes</b></p> <p>This CEMP action was not very clear. We are seeking clarity in what is required and when, to address our concerns to safeguard the historic environment.</p>
<b>CH5</b>	
<p><b>Current Action</b></p> <p>An interpretation panel must be placed on the section of Bowes</p>	<p><b>Historic England proposed amendments</b></p> <p>An interpretation panel must be placed on a section of Bowes</p>

<p>Railway closest to the proposed works. The panel will be designed to present and interpret the history and importance of the SM. In this way the experience of the SM will be enhanced for the local community. The nature and type of board will be agreed in consultation with the local authority. If the location of the board is within the Bowes Railway SM area, this will also be agreed in consultation with Historic England. The main contractor will be responsible for installing the panel.</p>	<p>Railway <b>scheduled monument (SM)</b> closest to the <b>approved</b> works. The panel will be designed to present and interpret the history and importance of the SM. In this way the experience of the SM will be enhanced for the local community. <b>The panel content, design, and final location to be approved by the Local Authority in consultation with Historic England. The panel to be installed by the main contractor at the end of works in this part and before the entire scheme ends</b></p>
	<p><b>Historic England's justification for changes</b></p> <p>We feel that the current CEMP action is not clearly defined. We are seeking clarity to address our concerns and to safeguard the historic environment.</p>
<p><b>CH6</b></p>	
<p><b>Current Action</b></p> <p>A section of surviving wall associated with Bowes Railway SM (1003723) of equal length to that being demolished will be repaired. Prior to any repair works commencing, the section of wall to be repaired, and the repointing and conservation methodology, will be agreed in consultation with Historic England. The repair works will be carried out by a qualified</p>	<p><b>Historic England proposed amendments</b></p> <p>A section of surviving wall <b>either side of Bowes Railway SM</b> (1003723) of equal length to that being demolished will be <b>consolidated, re-pointed and</b> repaired. Prior to any repair works commencing, the section of walling to be repaired <b>(including the repointing and conservation methodology)</b> will be agreed in consultation with Historic England. The repair works will be carried out by a qualified <b>stonemason</b></p>

<p>stone mason experiences in using lime mortar.</p>	<p><b>experienced</b> in using lime mortar. <b>The methodology, including the timing of the works, will be submitted in writing to and approved by the Local Planning Authority in consultation with Historic England.</b></p>
	<p><b>Historic England’s justification for changes</b></p> <p>This CEMP action was not fully defined. We are seeking clarity in what is required and when to address our concerns about impact on the historic environment.</p>
<p><b>N8</b></p>	
<p><b>Current Action</b></p> <p>Where piling works are required for the extension of Longbank Bridleway Underpass, these will be completed using a rotary bored (i.e. non-impulsive) method. Monitoring will be carried out to identify if the retaining wall associated with Bowes Railway SM (1003723) is damaged during construction. The condition of the wall will be compared with the baseline condition detailed in the Bowes Railway Retaining Wall Survey Report (Application Document Reference: TR010031/APP/6.3). If any of the wall is damaged it will be repaired on a like for like basis using the agreed conservation strategy set out in CH6. These repairs will be in addition to those identified in CH7 in this CEMP. These</p>	<p><b>Historic England proposed amendments</b></p> <p>Where piling works are required for the extension of Longbank Bridleway Underpass (<b>the Bowes Railway Scheduled Monument</b>), these will be completed using a rotary bored (i.e. non-impulsive) method. Monitoring will be carried out <b>by the Main Contractor and Archaeological Contractor during piling works</b> to identify if the retaining wall associated with Bowes Railway SM is damaged during construction. The condition of the wall will be compared with the baseline condition detailed in the Bowes Railway Retaining Wall Survey Report (Application Document Reference: TR010031/APP/6.3). If any of the wall is damaged it will be repaired on a like for like</p>



<p>monitoring requirements will be included in the WSI.</p>	<p>basis using the agreed conservation strategy set out in CH6. These repairs will be in addition to those identified in <b>CH6</b> in this CEMP. <b>These monitoring requirements will be included in the Final WSI to be submitted to and approved in writing by the Local Planning Authority in consultation with Historic England.</b></p>
	<p><b>Historic England's justification for changes</b></p> <p>The Action refers to CH7 which does not exist and therefore it is confusing to understand what is being required. Proposed clarifications have been made to address this by referring to CH6 rather than CH7 and this will ensure consistency and safeguarding of the historic environment.</p>