



Historic England

WRITTEN REPRESENTATIONS

ON BEHALF OF THE

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

(HISTORIC ENGLAND)

Application by

**National Highways for an Order granting Development Consent for the A417 Missing Link
Scheme**

PINS Reference No. TR010056

HBMCE Reference NO. PL620663

Deadline 1: 14th December 2021

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1. INTRODUCTION

- 1.1. The following statement has been prepared by the Historic Buildings and Monuments Commission for England (HBMCE) more commonly known as Historic England (herein after referred to as "HE") for the Examination of National Highways (formerly Highways England) application for a Development Consent Order (DCO) for the nationally significant infrastructure project to construct the A417 Missing Link. This is a 5.5km section of duelling between Brockworth bypass and Cowley Roundabout (the 'Scheme').
- 1.2. HE made representations during the pre-application stage, directly to the Applicant, as part of the consultation exercise pursuant to section 42 of the Planning Act 2008 (as amended). This has taken the form of meetings and letters since 2017.
- 1.3. HE has been involved with the Technical Working Group (TWG) in discussion of the Scheme since 2018. The TWG is made up of the Applicant, HE, the Environment Agency, Natural England, Cotswold Conservation Board AONB, National Trust and Gloucestershire Wildlife Trust amongst others.
- 1.4. In accordance with the National Policy Statement for National Networks (2014)("NPSNN") 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. HE has engaged with the Applicant to ensure that the Scheme complies with NNNPS in respect of the conservation of any affected heritage assets. Currently, a range of matters relating to potential adverse impacts of the Scheme on heritage assets remain under discussion between the parties.
- 1.5. HE continues to discuss these matters with the Applicant through the provision of a Statement of Common Ground (SoCG) which is in the process of being compiled by National Highways on behalf of both parties
- 1.6. This Written Representation sets out HE'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.
- 1.7. The document has been put together taking into account the Applicant's Environmental Statement (ES), earlier position statements made by HE to the Applicant between 2019 and 2021 (see below), the Relevant Representation made to PINS on 2 September 2021, and the SoCG.

2. ROLE OF THE HISTORIC BUILDINGS AND MONUMENTS COMMISSION FOR ENGLAND (HMBCE)

- 2.1. HE was established with effect from 1 April 1984 under Section 32 of the National Heritage Act 1983. The general duties of HE under Section 33 are as follows:
“...so far as is 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. HE also has 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. HE's sponsoring department is the Department for Digital, Culture, Media & Sport, although its remit in conservation matters intersects with the policy responsibilities of a number of other government departments, particularly the Department for Levelling Up Homes and Communities, with its responsibilities for land-use planning matters.
- 2.4. HE is a statutory consultee providing advice to local planning authorities on certain categories of applications for planning permission and listed building consent and is also a statutory consultee on all Nationally Significant Infrastructure Projects. Similarly, HE advises the Secretary of State on those applications, subsequent appeals 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, HE 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 HE 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.

3. SCOPE OF WRITTEN REPRESENTATION

- 3.1. As stated in our Section 56 Relevant Representation, HE's interest in this scheme is focused upon the following designated heritage assets and how the Scheme adversely impacts their setting:
- Three Bowl Barrows known as Emma’s Grove round Barrows Scheduled Monument (Mon No., 32381, National Heritage List for England No. 1017079)
 - Crickley Hill Camp Scheduled Monument (Mon. No. GC40, NHLE No.1003586)

- 3.2. HE also has an interest in the treatment of non-designated archaeology impacted by the Scheme.
- 3.3. The relevant entries on the National Heritage List for England for the designated assets are set out in Appendix A.
- 3.4. HE will not be providing written representations regarding any of the Grade II Listed Buildings affected by the proposal. Please refer to the Conservation Officer reports for each of the Local Councils.
- 3.5. The scope of HE's written representation will include:
 - a summary of the proposals;
 - an outline of Historic England's consultation and advice on the proposals to date;
 - a brief description of the designated heritage assets affected (as noted above) and an assessment of their significance (including that derived from their settings);
 - a summary of the key issues agreed and under discussion in the SoCG;
 - HE's assessment of the impact of the Scheme;
 - HE's comments and observations on the Environmental Statement (ES), including advice regarding the likely effectiveness and suitability of the proposed enhancement, mitigation and management measures;
 - HE's comments and observations on the draft DCO.
- 3.6. Since discussion with the Applicant regarding the Statement of Common Ground (SoCG) continues at the time of submission of this Written Representation, we have sought to highlight in this representation those matters which are currently NOT agreed in order to provide a clear understanding of HE's position in relation to those matters. We have also made reference, for the avoidance of doubt, to those matters which are agreed in the Statement of Common Ground.

4. THE PROPOSALS AND HMBCE'S INVOLVEMENT WITH THE SCHEME

- 4.1. A summary of the consultation undertaken between HE and the Applicant is also set out in the Statement of Common Ground (SoCG), which remains in discussion between the parties.
- 4.2. HE made representations during the pre-application stage, directly to the applicant, as part of the consultation exercises under section 42 of the Planning Act 2008 (as amended). This has taken the form of meetings, e-mails and letters since 2017. HE was first contacted about this project in 2017 and were engaged with the route options assessment until the preferred route announcement in 2019.
- 4.3. Since the preferred route announcement, HE has attended various meetings and had regular correspondence with the Applicant. Details of consultation and meetings since the preferred route announcement is set out in Table 2-1 of the SoCG.
- 4.4. Between 2019 and 2020 Technical Working Group meetings were held relating to Landscape, Natural and Historic Environment with the Joint Councils Archaeological and Conservation Advisors as well as other statutory bodies and stakeholders, Natural England, Environment Agency, Cotswold Conservation Board, National Trust, Gloucestershire Wildlife Trust, etc.
- 4.5. From 2020 to 2021 Statement of Common Ground meetings were held with the Applicant and their consultants. This has taken the form of five face to face meetings and then virtual meetings and one site visit on September 2019. HE has provided advice and comments on all documentation produced for the application relating to the Historic Environment following the decision on the preferred route.

Table 1: Statutory Responses

Consultation	Sent to	Date
Invitation to Public Consultation – regarding Route Options	Mr M Goddard – Highways England	29 March 2018
EIA Scoping Report	Miss M Woods, The Planning Inspectorate	12 June 2019
Consultation under Section 42 (1) of the Planning Act 2008. Preliminary Environmental Impact Report (PEIR)	A417 Missing Link Highways England	8 November 2019
Consultation under Section 42 (1) of the Planning Act 2008. Preliminary Environmental Impact Report (PEIR)	A417 Missing Link Highways England	12 November 2020
Response to PINS Registration	PINS	2 September 2021

- 4.6. The information in this document is based on the information HE has had access to and is made without prejudice to any future comments we may wish to make. If there are matters with regards to the proposed development that will impact on the Historic Environment which we do not comment on at present, it should not be taken that we accept them.

5. THE SIGNIFICANCE OF DESIGNATED HERITAGE ASSETS AFFECTED BY THE SCHEME

Three Bowl Barrows known as Emma's Grove Round Barrows

Significance of asset

- 5.1. Emma's Grove Barrows are a group of three barrows (prehistoric burial mounds) dating to the Bronze Age, about 4500 -2500 years ago. The group consists of two smaller barrows and one large barrow with a partially in-filled ditch forming a shallow ring around the mound.
- 5.2. The two smaller barrows are Bronze Age in form and will be associated with other known barrows found in the area. The ditch of the larger barrow cuts across one of the smaller ones suggesting that it is later in date. It may be a later Bronze Age enlargement of an existing smaller barrow or an enlargement in a later period. Barrows are often reused in the Iron Age, Roman or Saxon periods.
- 5.3. Barrows are often located in prominent positions; they are a major historic element in the modern landscape. Their considerable variation of form and longevity as a monument type provide important information on the diversity of beliefs and social organisations amongst early prehistoric communities.
- 5.4. The barrows will provide information about prehistoric funerary practices and about the size of the local community at that time. The barrow mounds will also preserve environmental information in the buried original ground surface, predating the construction of the barrows and giving an insight into the landscape in which the monument was set. The mounds and their surrounding ditches will also contain environmental evidence in the form of organic remains, which will relate both to the barrows and the landscape within which they were constructed. The sequential construction of the barrows will provide an insight into changes in burial rituals and construction techniques over time. The open areas between and around the barrows are also significant as they will contain satellite burials, grave goods and other artefacts connected with the construction of the barrows, which will provide information about the monument's role within prehistoric society.
- 5.5. Their age, rarity and general well-preserved condition means these barrows have a high archaeological potential and fulfil the criteria for scheduling as being of National Importance.

Setting that contributes to the significance of the Barrows:

- 5.6. The barrows lie on the side of a slope on the southern side of the valley leading up from the Vale to the Cotswold, that the A417/ A436 now follows. Round barrows are often deliberately placed on false slopes, below ridge lines, making them more visible from lower down the slope. They may also be associated with strange landforms or features. The presence of tufa springs and petrifying waters just below the barrows on the edge of the valley may have led to these barrows being placed overlooking these areas. Tufa springs have always had magical and mythical associations, as the water turns into stone.
- 5.7. As you approach the site from the Cotswolds it is hidden by the topography until you are a few hundred meters away and the view across the vale opens up. It is clearly visible from the southern half of Crickley Hill Camp. The barrow group alongside the now lost barrows at Barrow Wake would have been a prominent visual marker in the landscape.

- 5.8. It is also close to a modern parish boundary. The Parish boundary of Coberley loops around the barrows to include them in its parish rather than Cowley's. This suggests they have been a major landscape feature for many centuries. The parish boundary may be Saxon or even Roman in origin either using the barrows as a marker or following an earlier territory boundary.
- 5.9. The barrow forms a small burial ground (cemetery) of round barrows. They are often also associated with earlier Long Barrows. This is common across the Cotswolds with Bronze Age barrows found in groups or in linear groups over some distance. To the east leading along the northern edge of Coldwell Bottom are two further possible barrows leading to Coberley Long Barrow.
- 5.10. The society that built these burial mounds for their venerated dead would have been living locally and working the land around the barrows. It is very possible that they lived at Crickley Hill Camp, as the barrows would have been very prominent from that settlement.

Crickley Hill Camp

Significance of Asset

- 5.11. The scheduling description does not include a statement of significance as it is an old record that has not yet been updated. There is however published reports on the excavations of the hillfort between 1969 and 1993, including a popular publication Village Fortress Shrine, (Savage 2018). The extensive excavations of the site also place this at a level of understanding not known for many similar sites across the country.
- 5.12. This significance statement has been written using the National Monument Records now incorporated into the GHER (GHER Ref: 11281, 170, 172 and 173) and Historic England Introductions to Heritage Assets and Scheduling Selection Guides (Historic England 2018a, and b)
- 5.13. Crickley Hill Camp is a multiperiod site with occupation ranging from the early Neolithic until the fifth century AD. The site is on a roughly triangular promontory of limestone projecting westwards from the Cotswolds edge. The Crickley excavations uncovered evidence of a long sequence of intermittent activity on the hilltop ranging from the earlier Neolithic until the 5th century AD, with some more sporadic use after that date.
- 5.14. The most significant periods of use on the site are considered to be:
 - **Neolithic** – The site of an Early Neolithic causewayed enclosure of three phases of construction covers an area of about three hectares. It is thought that the complex as a whole was in use for about 150-225 years about 5,500 years ago. The enclosure is in excellent condition, having never been ploughed, and is one of the best-preserved examples. There are two earlier concentric causewayed circuits enclosing about two hectares. Each circuit with an internal bank contained at least four entrances, protected by fences. The two causewayed circuits were succeeded by a single, more continuous, circuit of ditches. This enclosure had at least three gateways, also protected by a fence. This enclosure was the subject of an attack, sometime in the later Neolithic, and hundreds of leaf arrowheads have been found in the area of two entrances, and the fence was burnt down. There are numerous undated internal features; the probable Neolithic features include pits and platforms.

- **Late Bronze Age/ Early Iron Age** - The LBA/EIA hillfort was found to be of two major phases, both of which were destroyed by fire. The earlier phase comprised of timber-laced ramparts enclosing a settlement of rectangular buildings. The later phase involved the refortification of the ramparts and entrance. These defences included a large out-turned hornwork and solid stone bastions at the gate. These defences enclosed a settlement of round houses. There is also evidence of Late Iron Age unenclosed settlement within the old ramparts.
 - **Post-Roman** – Two contemporary settlements of either Late Roman or Sub Roman date have been found on Crickley. One is sited behind the earlier Iron Age rampart and comprises of slightly sunken huts with a narrow entrance cleared through the rampart. The other was situated 200m to the west of this, on the tip of the promontory, and comprised of larger buildings situated within a defensive fence. Both appeared to have been burnt then rebuilt, though not on the same plans. They were burnt again in the late fifth or sixth century AD.
- 5.15. During the Medieval period the northern slopes of Crickley Hill were used for grazing by Brinkworth parish. A small rectangular stone-walled building situated within the parish boundary may have been used as a shepherd's hut. Post Medieval features on the hill include 17th century pits for limeburning, and activity which may have destroyed about an acre of the prehistoric settlements. Quarrying also removed substantial areas of the hill. Beginning in the 18th century, it had produced steep cliffs by the early 19th. Although in decline by the 1930s, the quarrying continued until the 1960s. An additional possible medieval or later feature is the long mound regarded by the excavator as being of Neolithic date, but suggested by some to be a pillow mound.
- 5.16. Causewayed Enclosures are a rare form of early monument. They represent the earliest known examples of the enclosure of open space. They date to the early Neolithic. They occur mainly across southern and central England. 80 examples have been so far been identified, though others will be found through excavation (Historic England 2018a, p.2).
- 5.17. Promontory forts are a type of hillfort in which conspicuous naturally defended sites are adapted as enclosures by the construction of one or more earth or stone ramparts placed across the neck of a spur in order to divide it from the surrounding land. Promontory forts are generally Iron Age in date, most having been constructed and used between 2700 to 1970 years ago. They are broadly contemporary with other types of hillfort. They are regarded as settlements of high status, probably occupied on a permanent basis, and recent interpretations suggest that their construction and choice of location had as much to do with display as defence. Promontory forts are rare nationally with less than 100 recorded examples. They are both rare and important for understanding the nature of social organisation in the later prehistoric period.
- 5.18. The causewayed enclosure and promontory fort survive well and will contain archaeological and environmental evidence relating to its construction, development, interrelationship, longevity, territorial and strategic significance through time, adaptive re-use and overall landscape context.

Setting that contributes to the significance of Crickley Hill Camp:

- 5.19. The defended settlements on Crickley Hill are on a prominent finger of land projecting from the edge of the Cotswolds to the west. It has steep sides to the north and south which provided natural defences. The approach from the east also involved a climb up from

shallow valleys on the edge of the Cotswolds. With a flatter approach once on the high ground. The bank and ditch (ramparts) defences are placed to protect the settlements from this direction. To ensure that there were no surprise attacks the land to the east and north would have been cleared of vegetation and obstructions.

- 5.20. The Cotswold edge location overlooking the A417 valley with views out over the Severn Vale to the Forest of Dean and beyond identify it as a site placed to take advantage of those views. The hill fort would have dominated and controlled access through and within the landscape. Peak Camp, a further Neolithic causewayed enclosure, lies 1km to the south on a similar promontory of land projecting out from the Cotswold edge.
- 5.21. The Neolithic phases of the site are also contemporary with the Causewayed enclosure at Peak Camp. The two settlements may have worked together to control the access from the winter (Wolds/ high ground) to summer (Vale/ low ground) grazing areas. Any movement from the Vale to the Wold would have been seen from either Camp. Anyone moving through this bit of landscape would have been very aware of the camps and the fact they would be watched. The occupiers in the camps could have easily intercepted the travellers and either demanded a 'tax' or prevented access along the route. Anyone living and working in the landscape within view of the camps would also have felt some form of protection and had a safe place to escape to in times of unrest.
- 5.22. There are also a number of Long Barrows (Neolithic communal burial mounds) within 3km of the camps. These are Crippets to the north, Coberley to the east and West Tump to the south. There may have been others which have now been lost to farming or quarrying. These barrows may contain the dead from these settlements and would have had a connection with the Camps.

6. STATEMENT OF COMMON GROUND (SoCG)

- 6.1. This section summarises the issues that have been agreed to date, and those that are currently under discussion between HE and the Applicant.
- 6.2. HE received on the 8 November 2021 a revised Detailed Archaeological Impact Mitigation and Overarching Written Scheme of Investigation (DAMS/OWSI). This included the first draft of mitigation area plans based on the findings of the evaluation report.
- 6.3. Matters in agreement:
 - HE agree in principle with the need for a new strategic road link at this location.
 - HE agree with the strategy to include a Green Bridge and other footbridges across the new road, to retain links across the landscape and between the various heritage assets.
- 6.4. Matters currently not agreed:
 - Insufficient evidence base within ES Chapter 6.
 - Enhancement and Management for Emma's Grove Barrows including improved connectivity of calcareous grassland
 - Pre-Construction and construction buried archaeology mitigation not yet agreed through the DAMS/OWSI
 - The scheme does not provide any enhancement for the impact upon to Crickley Hill Camp, any enhancement provided for Crickley Hill Camp will also benefit Peak Camp.
- 6.5. What in HE's view is required to resolve those matters:

- In respect of the evidence base contained in Chapter 6 HE recognises that further baseline information will not be undertaken, and Chapter 6 will not be rewritten. The results of the issues HE has identified with the Chapter are being worked through with discussions with the Applicant in respect of the Detailed Archaeological Mitigation Strategy and Overarching Written Scheme of Investigation (6.4 ES Appendix 2.1 EMP Annex C) (DAMS/OWSI).
- HE needs to see a sustainable and long-term management solution to the enhancement and management required on Emma's Grove Barrows. The barrows need to be under grass and incorporated into the adjoining field as part of the calcareous grassland creation to the northeast of the Barrows. The planting of calcareous grass on the barrows would increase their connectivity to the surrounding landscape.
- The DAMS/OWSI must be able to respond to unexpected archaeological finds that may be of national importance, which is a resource of High Value. These may be found during either the Strip Map and Sample works before construction starts or during the Watching Brief at construction phase.
- In respect of Crickley Hill Camp and Peak Camp HE would like to see what can be done to reduce the noise and screen the road better from the two High Value sites

6.6. To help resolve these matters HE is doing the following:

- He is using its own knowledge and understanding of the archaeology affected by the Scheme to assess the impacts of the Scheme and mitigation and enhancement needed and discussing this with the Applicant (we met on the 5 October 2021 to discuss our concerns and requirements. A further SoCG meeting took place on the 7th December) to ensure appropriate mitigation is secured through the DAMS/OWSI and the DCO.
- HE received a revised DAMS/OWSI on the 22 November 2021. This was discussed with the GCC Heritage Team on the 6th December and then discussed with NH on the 7th December at the SoCG meeting.
- Working with the National Trust, who we are aware are also raising the impact of the Scheme on Crickley Hill Camp as an issue in their Representation. HE will continue to proactively work with the National Trust and the Applicant to explore options to reduce the noise levels and provide enhancement for Crickley Hill Camp. This will also improve the experience for walkers on the Cotswold National Trail and to the Country Park.

6.7. It is hoped that the above through the above identified actions can be reconciled during the examination by the provision and agreement of additional mitigation, enhancement or management, which is to be negotiated with the Applicant through the Examination.

6.8. Whilst the slight adverse and moderate adverse significance of effects, identified in Chapter 6 (Table 6-6), and the public benefits of the Scheme are acknowledged, we do not feel that it has been demonstrated that all efforts have been made to avoid or minimise conflict between the heritage assets' conservation and the proposed development. These measures would be directly related to enhancement at the sites affected, such as carrying out or providing funding towards repair work and maintenance.

7. HE ASSESSMENT OF IMPACT ON DESIGNATED HERITAGE ASSETS

7.1. Under this section HE sets out its assessment of the impact on the scheduled monuments at Emma's Grove Barrows and Crickley Hill Camp. The focus on these assets is due to the environmental effects we have identified in our own assessment of the impact of the Scheme. We then set out our comments on the Environmental Statement (ES), how it

corresponds to our assessment, and where it differs or requires further clarification or investigation.

HE's assessment of impact on Emma's Grove Barrows

- 7.2. To the east and north of the barrows the landscape will be radically changed as the large cutting to take the new A417 cuts through the landscape. This will remove the physical link the barrows have with the Wolds and any associated barrows to the east.
- 7.3. To the west the existing A417 will be downgraded to an access track for the properties behind the Air Balloon pub (Grove Farm). This will reduce the noise levels on this side.
- 7.4. The noise mapping suggests that the Barrows will experience a drop-in noise overall. (6.3 ES Figure 11.3 Operation Noise Difference Contour Map, ES Chapter 11, 11.10.98). The form of the cutting providing some noise protection to the site.
- 7.5. The Barrows are on the Heritage at Risk register as they are covered in scrub are currently unmanaged and possibly have burrowing animals within them. Rabbits have been seen on the site. (Site visit by Melanie Barge on 8 Nov 21)
- 7.6. The ES identifies that the Barrows will have a permanent adverse impact on their significance. The connectivity with the dry valley to the north and the Wolds to the west will be retained in a controlled way via the footbridge and green bridge. There will be a loss of connectivity with the wider landscape and as you approach the barrows the cutting will be a physical barrier preventing access from those directions.
- 7.7. In the Summary of significant environmental effects within the Non-Technical Summary (Doc 6.2 ES NTS) under Cultural Heritage permanent adverse significant effects are identified for Emma's Grove Barrows at Construction Stage, but not for the Operation Stage. Emma's Grove Barrows will have a permanent impact through an alteration of setting, which will continue through the operation stage.

HE's assessment of impact on Crickley Hill Camp

- 7.8. The earthworks of the site are still a prominent feature in the landscape and are very visible from Barrow Wake and as you approach the site from the east. The site, although partially reduced by quarrying, is still a significant landscape feature with long views over the Vale. The approach from the east is now The Scrubs woodland and views looking out eastwards from the defences are limited because of this.
- 7.9. The current A417 now runs along the bottom of the southern edge of the site. It is generally screened by a thick tree belt on the northern and southern side of the road. There are occasional glimpses of vehicle movements through the trees distracting from the views out. The noise generated from the road is however very audible, increasing in level as you move to the south.
- 7.10. The new road to the south of the site will change from a two-lane highway, with climbing lane to a four-lane dual carriageway with a climbing lane. This will require the removal of trees to the south of the road and some to the north. At the lower end of the hill the road will be raised on an embankment and at the upper end will be within a wide cutting.
- 7.11. The removal of trees and the raising of the road will increase the visual impact of vehicle movement from Crickley Hill Camp.

- 7.12. Views to towards Peak Camp and the vale from Crickley Hill Camp would have more visible vehicle movement at the base of the hill, distracting from the appreciation of the view and connection to the Peak and Barrow Wake.
- 7.13. This is especially the case during the first 5-10 years of the scheme as the planting establishes. Once the planting is established the LVIA provides a photomontage of the road from Crickley Hill at 15 years (6.3 Environmental Statement - Figure 7.10 - Photosheets and Visualisations - Part 3 of 8 Image 28 of 92). This image clearly shows that the road will be significantly more visible than it is now. This will introduce further modern intrusions into the landscape, which are currently hidden. The noise according to the noise assessment (though this is based on incomplete data) will not be any greater than it is now (6.4 ES Chapter 11, 11.10.96, p57).
- 7.14. The increase in the visibility of the road and the vehicle movement combined will cause a harmful effect on the highly designated heritage asset.
- 7.15. The noise currently experienced on the site will not be changed significantly by the Scheme. There will therefore be no reduction in noise levels. There will still be a distracting level of noise from the road impacting on how the monument is experienced.
- 7.16. We agree with the ES assessment that it will experience a slight adverse effect; however we do not agree that this should not be a material consideration. The impact is harmful to a highly designated heritage asset and the scheme should seek to avoid or minimise any harm (impacts).
- 7.17. There is no mitigation proposed in the ES to reduce the noise and improve the experience of the resource. This could be undertaken through either the use of technical road surfacing or other noise reduction measures.
- 7.18. We understand the National Trust are also seeking enhancement to Crickley Hill through noise reduction measures. This is dealt with in their Written Representation and we support their position.

Proposed Management and Enhancement in ES for Emma's Grove Barrows

- 7.19. A proposal to manage and enhance the barrows has been outlined within Chapter 6 (6.9.14), the Environmental Masterplan (ES Fig 7.11 6 of 25) and the Landscaping and Ecology Management Plan (Annex D of the EMP) under 2.14 Culture Heritage Features. This would involve removal of scrub and any trees on the barrows and the transplanting of calcareous grassland on the mounds. The area identified for this only covers the earthworks and not the whole scheduled area. There are also two viewing corridors to be opened up through the woodland.
- 7.20. The drawing which shows the Trees and Hedgerows to be removed or Managed Plans (APFP Regulation Part 2, 5(2)(o) Sheet 2 of 6, 2.13) does not show the removal of trees/ woodland from over Emma's Grove Barrows as set out in the ES Masterplan (see above).
- 7.21. This will need to be resolved before the EMP is finalised and the supporting documents agreed.

HE Preferred Enhancement and Management

- 7.22. The clearance of the barrows and planting of calcareous grassland is welcome, however HE requests that, once cleared, there needs to be a long-term management plan with the landowner to ensure the grassland is maintained. In 2003 working with the County Archaeological Service (as it was then) we cleared the barrows and worked with the owner then to keep the site clear. (Appendix B Photos from 2004).
- 7.23. HE seeks a solution that is sustainable and aligns with other stakeholders' priorities. In this case the creation of more calcareous grassland along the Barrow Wake to Ullenwood corridor is supported by Gloucestershire Wildlife Trust, National Trust and Cotswold Conservation Board. The barrows need to be under a management regime that can be easily maintained and provides benefits for wildlife (calcareous grassland, butterflies, birds, etc.) as well as the monument.
- 7.24. HE recommends that the barrows are cleared of trees and scrub and then laid to grass. This could be linked to the permanent grassland to the east which is proposed to be grassland restoration within the Landscaping Management Plan and retained by National Highways.
- 7.25. On 5 October 2021 HE met with the landscape team from National Highways to discuss this issue. We set out what we expected to ensure the future sustainable management of the mounds. The Landscape Team then took that away to look at if and how they could achieve this.
- 7.26. This was briefly discussed again at the SoCG meeting on 7 December 2021. NH are looking into how this can be achieved. Revised plans and management proposals will be provided within the revised ES to be Submitted at Deadline 2.

Crickley Hill Camp proposed enhancement

- 7.27. We note that there are no proposed enhancements for this heritage asset. We are however in discussions with the applicant to explore options to reduce the noise levels alongside The National Trust (See 7.15-18 above)
- 7.28. We have stated that the slight adverse significant effect is identified for Crickley Hill Camp, should be taken into account in the decision-making process. As there will be a change to the setting of the Camp, this will cause harm to its significance, (see response 7.8-18, above), under NSPNN (paragraph 5.132) and NPPF (paragraph 202) this harm needs to be taken into consideration.

8. HE ASSESSMENT OF ENVIRONMENTAL STATEMENT

- 8.1. HE has reviewed the Environmental Statement (ES), primarily focusing on Chapter 6 (Cultural Heritage) and Chapter 7 (Landscape) and their associated appendices. We refer the Examining Authority to the Local Authority's comments on other designated heritage assets within and beyond the 1km study area. In summary, we have identified the following issues for consideration by the Examining Authority in relation to the proposed archaeological mitigation work pre-construction and during construction.
- 8.2. HE's position is that, overall, the ES does not fully assess the impacts of the Scheme on Cultural Heritage. This includes:

- The omission of the Cowley Roman Settlement from the Archaeological Assessment (Appendix 6.2) and first half of the Chapter 6. Its significance is then not assessed within Chapter 6.
 - The significance of Peak Camp is not agreed. HE's view is that it is of High Value not Medium.
 - The omission of the cropmarks of a prehistoric site to the north east of Emma's Grove (GHER 22451), now known through trial trenching (6.4 ES Appendix 6.5, Trench 39) to be Iron Age and potentially contemporary with Crickley Hill Iron Age settlement.
 - No assessment of paleoenvironmental potential along the route, which may indicate early human activity – Palaeolithic and Mesolithic.
 - No assessment of archaeological potential around the Shab Hill junction, a dry valley with paleoenvironmental and early human activity potential.
- 8.3. To be able to have a high degree of confidence that the archaeological potential is understood this needs to be supported with a range of baseline information. As stated in Baseline Scenario in DMRB LA106 3.8 – 3.9.1 this would include:
- Desk-based assessment
 - Geophysics and
 - Archaeological Field Evaluation (Trial Trenching)
- 8.4. From our first meeting with National Highways on 22 June 2017 and in all subsequent correspondence, we have outlined the need for these surveys and other baseline information to be included in the ES and to form the basis of any assessment.
- June 2017 meeting with National Highways and GCC
 - Response to Route Options 29 March 2018
 - Response to EIA Scoping Reports 12 June 2019
 - Response to PEIR 2019 8 November 2019
 - Response to PEIR 2020 12 November 2020
- 8.5. Where there is potential for Paleoenvironmental remains then geotechnical data should also be consulted.
- 8.6. The baseline information should be sufficient to allow a full understanding of the potential character and significance of the heritage resources. CIFA 2020 Standard and guidance for archaeological field evaluation states that:
- "The purpose of field evaluation is to gain information about the archaeological resource within a given area or site (including its presence or absence, character, extent, date, integrity, state of preservation and quality), in order to make an assessment of its merit in the appropriate context, leading to one or more of the following:*
- a. the formulation of a strategy to ensure the recording, preservation or management of the resource*
 - b. the formulation of a strategy to mitigate a threat to the archaeological resource*
 - c. the formulation of a proposal for further archaeological investigation within a programme of research"*
- 8.7. The trial trenching report within the ES (6.4 appendix 6.5 trial trenching) has not fully addressed a) and thus information is lacking to complete b) and c).

Trial Trenching Concerns

- 8.8. Although HE no longer requires a percentage of trenching, HE advice states the amount of evaluation work undertaken should be proportionate to the importance of the site affected and the impact of the proposed development on its significance (Preserving Archaeological Remains 2016, paragraph 1.1). Previous studies of evaluation methodologies (Hey and Lacey 2001) concluded that

"the single most important factor in the success of evaluating archaeological sites is the date of the remains that survive upon them, and this is true regardless of the character of the geology and topography, depth of overburden and recent land use, and it is true for all techniques of evaluation. The methods we commonly use are successfully locating Roman, medieval and, to a lesser extent, Iron Age remains, reinforcing a known bias in the archaeological record, but those of Neolithic, Bronze Age and early medieval (Anglo-Saxon) date, landscape features and those on topographies where settlement was previously thought to be absent are only being revealed as a result of extensive stripping in large infrastructure and construction projects. This suggests that we are consistently missing sites of this character. The benefits of large-scale stripping were apparent within the projects that formed part of this study, and this work suggests that serious consideration should be given in the right circumstances to stripping, planning and sampling sites (strip, map and sample), with further follow-up work concentrating on critically selected areas."

- 8.9. This means that a low percentage of trenching will result in greater uncertainty about the presence of sites that are not Iron Age, Roman or Medieval in date. Within this landscape the Neolithic, Bronze Age and Saxon archaeology is of particular importance with reference to the known settlements at Crickley Hill Camp and Peak Camp.
- 8.10. HE recognises that this is a risk to the Applicant's construction timetable, but also requires comfort that, in the event that unplanned archaeological discoveries are made during construction that have not been accounted for, sufficient detail is secured through the DAMS/OWSI and the DCO to ensure that appropriate investigation and recording of archaeological discoveries is carried out.
- 8.11. The evaluation for this scheme covered about 1% of the overall DCO boundary. It showed that the geophysical work could be relied upon to identify large cut features (ditches, pits, wall lines). Smaller pits, post-holes and burials were not identified, for example in Trenches 282 and 285 (6.4 ES Appendix 6.5, Fig 50, Fig 51 and 29). These two trenches have a series of pits, post-holes and ditches which do not show clearly on the geophysics. They cover an area of about 50m diameter. The features are dated to the prehistoric period but are not firmly dated. So the smaller prehistoric sites consisting of a few post-holes and pits could be easily missed. These sites are important in understanding the use of the land in the pre-Iron Age landscape (Mesolithic, Neolithic and Bronze Age) and linking that activity back to the occupation on Crickley Hill Camp and Peak Camp.
- 8.12. The Hey and Lacey 2001 study found that these sites are most often uncovered during large stripping for major schemes, like this scheme. There is then a high potential of finding those sites during the watching brief. Once identified those sites will then need to be excavated.
- 8.13. The trial trenching report should include an assessment of the preservation of the archaeological material within the deposits. This is through assessment of the

environmental samples to look for ecofacts, seeds, charcoal, insects, small animal bones etc. Of the 330 trenches opened for the Trail Trenching there are about 579 possible fills, soils, colluvium deposits that could have been sampled. From these only 89 environmental samples were taken and of those only 40 were assessed (Appendix 6.5 pp.70-76). This does not provide a full picture of the state of preservation of the archaeology along the scheme.

- 8.14. The archaeological trial trenching (Appendix 6.5), was undertaken late in the pre-application period. The report on the trial trenching was also not reviewed by Gloucestershire County Council or HE before being submitted with the ES as part of the DCO. The results of the trail trenching confirm that the whole scheme will impact on areas of archaeology, some of which are of potential high value.
- 8.15. HE's position is that as insufficient evaluation work was undertaken to understand the extent and significance, and as a result there will need to be extensive archaeological mitigation within the DCO boundary where impacts are identified. We are concerned that the 9-month period identified for this within the EMP (Annex C DAMS/OWSI 3.7.13) will not be sufficient to excavate all the sites, as there may be double the number of sites currently identified.
- 8.16. To ensure that the work needed to fully record and understand the archaeology that will be removed by this scheme we are working with National Highways and their Consultants to agree a final version of the DAMS/OWSI. We were sent a revised version of this 22 November 2021. The DAMS is now supported with Mitigation plans showing areas of excavation (blue), Strip map and sample (orange) and protection (yellow). The areas are based on the evaluation results. Areas that had no geophysics and or trial trenching are currently identified to be Stripped, mapped and sampled.
- 8.17. The proposed areas are not supported by any information about why they will be excavated or be SMS or have a watching brief. Due to the low level of trenching and the high potential for sites that will be uncovered by the watching brief we are asking for larger areas of the scheme to be archaeologically mitigated by SMS pre-construction rather than as a watching brief during construction. Not only will this ensure the archaeology is identified and dealt with it will also prevent any delays in the construction programme.
- 8.18. HE also seeks that the archaeological mitigation is phased with the construction works. For example, the first areas that will need mitigating will be areas identified for pre-construction mitigation and site set up areas: the compounds and storage areas, haul roads and any ecological mitigation (newt fencing etc.). Once they are done then the direct impacts from the scheme (the road, attenuation ponds, bridges, underpasses, drainage, earthbunds) can be dealt with in a rolling programme before the main construction on those areas begins. Some of this work will be during the pre-construction phase, but some could be after the start of construction. The exact timetabling of this is currently unknown but can be outlined in the DAMS/OWSI and will need to be closely tied into the Construction Environment Management Plan produced by the Scheme Construction Contractor.
- 8.19. There are large areas of the Scheme that are subject to only a watching brief during construction. Within the DAMS Appendix A.3 there is a flow chart that provides a framework for escalating archaeological finds through the watching brief. If archaeology is identified the archaeological contractor will halt works and assess the extent and significance of the remains. A discussion will be had with the Archaeological Clerk of

Works and if required the County Archaeologist. If the archaeology is potentially significant then a defined area will be set aside for archaeological excavation. No construction work will be permitted within that area until it has been signed off by the ACOW and County Archaeologist.

- 8.20. HE support this approach, but required comfort that this will be secured by a DCO requirement, in line with NPSNN 5.142 Where there is a high probability that a development site may include as yet undiscovered heritage assets with archaeological interest, the Secretary of State should consider requirements to ensure that appropriate procedures are in place for the identification and treatment of such assets discovered during construction
- 8.21. Under 3.3.1 of the DAMS it identifies what significant archaeological remains are, these include:
- human remains,
 - artefacts which constitute treasure under the terms of the Treasure Act 1996, or
 - archaeological remains which could warrant designation by scheduling
- 8.22. This is fine but to be able to understand the significance of the archaeology to see if it was of schedulable quality the archaeology would have to be excavated. It is also unclear if these are the only triggers for escalating the watching brief to excavation.
- 8.23. There are concerns that this process may hold up the construction programme and there will therefore be significant pressure put on the contracting archaeologist to 'clear' the site quickly. Depending on the significance and complexity of the remains this may not be possible. The machinery used to clear the topsoil may not be suitable for undertaking a watching brief. Box Scrapers clear large areas quickly and it may not be safe or possible for the contracting archaeologist to monitor the works. It is for this reason that additional Strip Map and Sample areas are sought pre-construction.
- 8.24. The DAMS OWSI needs further revision to ensure all the archaeological resources that will be impacted by the scheme are properly recorded and understood. We are working with National Highways and the County Archaeologist through the examination via meetings and e-mails to review and revise the document.
- 8.25. At the SoCG meeting on the 7 December these issues were briefly discussed. It was agreed that any general comments on the DAMS would be sent to NH so they could be incorporated into the revised draft of the DAMS to be submitted at Deadline 1. We would then continue to engage with NH to finalise that DAMS during the Examination.
- 8.26. HE is also aware of a national shortage of available archaeologists. There are a number of large infrastructure projects and large housing developments across the country and not enough archaeologists to cover all the sites. Many contractors used European archaeologists to make up their numbers pre-Brexit. Because of this the ability to use more archaeologists on site to ensure all work is undertaken within the 9 months may not be possible. This could lead to further delays to the start of the construction programme. To avoid this more time may have to be given to the pre-construction archaeological mitigation works and a clear timetable of works set out with the Scheme Construction Contractor to ensure the archaeology can be undertaken before the construction begins. This can be secured through the CEMP.

Paleoenvironmental Concerns

- 8.27. The study area includes at least two tufa producing streams, reflecting the complex hydrology of the area; one close to Shab Hill and another by Grove farm (6.4 ES Appendix 13.11 Water Features Survey, sites 69, G231, 81, G135 and G4).
- 8.28. The hydrological assessment appendix (6.4 ES, Appendix 13.7) covers the need for dewatering from a construction point of view but not the impact of dewatering upon buried deposits.
- 8.29. During the archaeological trial trenching (6.4 ES, Appendix 6.5) colluvium (a deposit which forms by gravity at the base of slopes over time, also known as hillwash) was found within the DCO boundary in these areas (Trial Trench no's in brackets):
- Cowley roundabout (245 and 300)
 - North of Birdlip Quarry (211 and 213)
 - Along southern edge of Coldwell Bottom, north of the Roman/Saxon settlement (104, 105 and 106)
 - East of Emma's Grove (88 and 85)
- 8.30. These findings indicate that colluvium is present in a number of locations. When looking at the topography there are also a number of dry valleys along the route which correspond with the locations above (Coldwell Bottom, Nettleton Bottom, and other unnamed ones near Cowley roundabout and along the slopes of Crickley Hill) all of which have a high potential to contain colluvium. Such deposits could be sealing localised waterlogged deposits.
- 8.31. There is one known small peat deposit identified within the scheme, near Grove Farm. This is not recorded in the ES Chapter 9 Geology and Soils report. The Chapter only mention the possibility for peat in 9.7.8. The peat is known from a borehole taken in 1989 for a previous A417 road widening scheme (BGS Borehole ref:SO91NW125
[REDACTED])
- 8.32. These deposits (peat and waterlogged material) will contain environmental evidence (insets, seeds, pollen, etc.) which will tell the story of the climate and environment over the past 10,000 years. They may also hold evidence for human activity from early prehistory as the colluvium can be very thick and provide a protective buffer over the deposits meaning they are not impacted by later farming practices (ploughing, etc.). The deposits are very vulnerable to change and have potential to be impacted by changes in hydrology, in particular dewatering of areas as drainage is changed, as part of the construction process. Once dewatered they would rapidly decay and paleoenvironmental information would be lost if not sampled first.
- 8.33. The NPSNN states 'In considering the impact of a proposed development on any heritage assets, the Secretary of State should take into account the particular nature of the significance of the heritage asset and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal. (5.129 and NPPF 195). Paleoenvironmental deposits are particularly high value resources as they can contain significant amounts of information regarding the climate and environment over the past 10,000 years. If not properly assessed and protected or mitigated that significance will be lost and the knowledge that the deposits would provide about climate trends and environmental change as well as early human use of the area.

- 8.34. In our guidance regarding preserving archaeological remains (Historic England 2016) under decision-taking for sites under development we set out the assessment needed to understand those changes. Section 4.3 and section 4.4. deal with issues of dewatering and the need to understand the hydrology of the site sufficiently. A Tier 1 Hydrological Assessment would need to be carried out for known, suspected or recently discovered waterlogged remains ahead of construction.
- 8.35. In this instance the archaeological trial trenching is insufficient to identify the presence of waterlogged archaeological deposits of paleoenvironmental potential.

Impacts of the insufficient baseline information

- 8.36. The insufficient baseline information and late production of some of the surveys means that Chapter 6 contains errors and omissions.
- 8.37. The numbers in the ES appear to be incorrect. At 6.7.10 the ES Chapter 6 states there are 116 heritage resources within the DCO boundary. These 116 sites are not identified anywhere in the Chapter or its appendixes. The Figure referred to (Figure 6.3 ES 6.2 Non-designated heritage assets) is not to a scale you can read easily and does not have the reference numbers from the Archaeological Assessment.
- 8.38. The Plans in ES 2.12 Heritage Designation Plans is to a scale you can easily see, and the heritage resources are clearly marked and they are numbered. Although 36 resources are identified in Chapter 6 there are 37 resource marked and numbered within the DCO boundary on the plans. There is one resource marked within the boundary that is not numbered. It is unclear where or what the other resources are that are said to be within the DCO boundary.
- 8.39. 6.10.7 goes on to say 18 resources would be directly impacted and are listed at Table 6-8, however there are only 11 sites listed in Table 6-8. It is unclear what the other seven sites are, unless they are the seven sites listed under 6.10.12.
- 8.40. Table 6-8 does not include these sites from the Archaeological Assessment (6.4 ES Appendix 6.2):
- 39 Milestone (Gloucestershire Historic Environment Record (GHER) 13139)
 - 105 Mesolithic microlith found near Shab Hill (GHER 13043)
 - 116 Possible Long Barrow (GHER 35060)
 - 121 Scatter of Roman-British Pottery (GHER3810) close to Roman site in Area 2 Field B (Location reference from Appendix 6.5 Trial Trenching Report)
 - 132 Prehistoric and Romano-British cropmarks (NMR 1399006), now known to include an Iron Age cross-dyke (Area 2 Field D)
 - 175 Rectilinear cropmark (GHER 14846). This was not identified through Trial Trenching (ES Appendix 6.5).
 - 248 Cropmarks west of Harding's Barn (GHER 4321)
 - 252 Milestone (GHER 9869)
 - 53 Iron Age Enclosure, linear and pits (GHER 4698)
- Some of these are listed under 6.10.12, no. 116, 132, 175 and 248.

- 8.41. The table is also missing
- all of the Non-Designated Archaeology within the DCO Boundary as depicted on ES 2.12 Heritage Designations Plans.
 - An updated version to include all the sites found in the trial trenching (ES Appendix 6.5).
- 8.42. Some other sites that should have been added after the trial trenching and using HE's own knowledge:
- Cowley Roman Settlement (GHER 5758, Area 2 Field G)
 - Prehistoric and Roman site near Brockworth (ES Appendix 6.5 Trial Trenching Area 1)
 - Prehistoric Enclosure northeast of Emma's Grove (GHER 22451/3815 Area 6 Field A)
 - Birdlip WWII Repeater Radio Station (Area 6)
 - Roman Burial (Area 2 Field A)
 - Iron Age Cross Dyke (Area 2 Field D)

Archaeological Resources of potentially national importance (High Value) within the DCO Boundary

- 8.43. Archaeological resources of high value that are directly affected are Cowley Roman Settlement (GHER 5758) and a Prehistoric enclosure north east of Emma's Grove (GHER 22451/ 3815).
- 8.44. These sites were omitted from the Archaeological Assessment and previous versions of the PEIR. During pre-application consultation HE raised both sites as being potentially important. This omission was identified by us in our response to the PEIR consultations on 8 November 2019 and 12 November 2020 and also through discussions and e-mail correspondence. Cowley Roman site is mentioned in the ES Chapter at 6.10.14 bullet point 3, but this is a brief summary of the evaluation and not an assessment of its significance.
- 8.45. Roman settlements where they retain reasonable archaeological potential are deemed to be of National Importance (Historic England 2018d, Paragraph 4.2). The results of the 1996-7 excavation when considered alongside the metal detecting finds (the majority having been reported over the past 6 years) and the more recent trial trenching (Appendix 6.5) show clearly that the Cowley Roman Settlement holds reasonable archaeological potential. There are buildings that have been rebuilt a number of times and there is clear evidence of the development of the settlement over time. There are also earlier phases which are partially covered with colluvium (hill-wash) ensuring a greater potential for survival of remains.
- 8.46. The repeated omission of the Cowley Roman Settlement from the documentation has meant that its full significance has not been properly assessed. The site is not mentioned in Table 6-8. The site as a Roman roadside settlement is of national importance so is of high value. The new road and junction at Cowley roundabout with associated attenuation ponds and earthworks will remove most of the archaeology within the DCO boundary. This is a permanent major adverse effect.
- 8.47. The Prehistoric enclosure north east of Emma's Grove was identified by a geophysical survey in 2003 (GHER 22451/3815). The recent trial trenching work (ES Appendix 6.5 Trench 39, pp.20-22) confirmed it was Iron Age in date and showed it was a well-preserved site with part of the defensive bank surviving as well as the in-filled ditch and internal features (pits and postholes). Although it is unclear what this site is, its age, rarity, well-preserved condition and potential to increase our knowledge of this period would all fit the

criteria for scheduling (DCMS Scheduled Monuments & nationally important but non-scheduled monuments Policy Statement 2013, Annex 1)

- 8.48. These two sites are however fully identified within the DAMS/OWSI and both areas will be mitigated by full-excavation and investigation prior to construction. It is the view of HE that this impact, despite their omission from the ES, will be appropriately mitigated by excavation and investigation prior to construction as agreed in the DAMS/OWSI. HE would seek to secure implementation of the DAMS/OWSI through a DCO requirement.

Archaeological Resources of potentially national importance (High Value) outside the DCO Boundary

- 8.49. Peak Camp is another high value resource that has not been properly assessed within the ES.
- 8.50. Peak Camp (GHER 4754), although mentioned within Chapter 6, it is missed off the mapping (ES 2.12 Heritage Designations Plans). At 6.10.9 it is stated to be a resource of Medium value. The site as a Neolithic settlement is reckoned due to its rarity to be of national importance and schedulable (Historic England 2018d, Paragraph 4.1). Because of this it is of high value.

Limited Holistic Approach to ES

- 8.51. When considering the application, HE's view is that the harm caused should be assessed within the holistic historic landscape not just as individual assets. The scheme is a landscape-led scheme whose vision and objectives includes bringing about landscape, wildlife and heritage benefits and to maximise objectives for landscape, historic and natural environment enhancement within the Cotswold AONB and to reduce negative impacts of the scheme on the surrounding environment (1.1a. Introduction to the Application, 2.2).
- 8.52. The National Trust have undertaken more detailed work on this and we have supported them in the production of their report. We agree with the conclusions of that report and refer the Examining Body to the National Trusts Written Representation regarding this matter.

Going Forward

- 8.53. HE appreciates that it is now not appropriate for the Applicant to undertake additional trial trenching and a desk-based assessment. NH are currently undertaking additional geophysics works and there is an agreed programme of geoarchaeological works monitoring the Geotechnical works about to start on site. The information from these additional surveys will be fed into the mitigation programme.
- 8.54. It is hoped that these additional surveys and assessments carried out by HE and GCC can be reviewed by the Applicant and areas of additional mitigation agreed and delivered through the Detailed Archaeological Mitigation and Overarching Written Scheme of Investigation (DAMS/OWSI (Document 6.4 Appendix 2.1 EMP Annex C) which will be secured by the DCO.
- 8.55. Once the DCO is granted the archaeological mitigation will need to be started as soon as possible. An Archaeological Clerk of Works (ACOW) and Archaeological Contractor will need to be ready to go as soon as the DCO is granted. They will need to produce a Site Specific Written Scheme of Investigation (SSWSI) for each of the Excavation and Strip Map and Sample areas (currently 26 sites) to be agreed via Requirements 3 (2) (e) (ii) and 9 of the DCO with the Local Authority and their statutory advisors.

- 8.56. A 9-month period has been identified before the start of construction (following DCO decision) (DAMS/OWSI 3.7.13). Within those 9 months the excavation and strip map sample (SMS) areas will need to be completed. There will also need to be targeted geoarchaeological works in the areas of the dry valley heads and areas of colluvium to understand early human activity on the wold and paleoenvironmental potential.
- 8.57. The exact areas to be mitigated during pre-construction are still being discussed with National Highways. Currently the DAMS has identified 16 areas for full excavation and 10 areas for SMS work across the scheme. We agree with most of these areas but will be asking for changes and additional areas to ensure all the potential archaeology can be excavated and recorded during the pre-construction phase of works.
- 8.58. When construction starts the archaeological watching brief will be implemented. The areas not covered by the Excavation or SMS areas will be subject to a continuous watching brief by the archaeological contractor during construction. Any archaeology found during construction will require works to stop whilst archaeological investigations are carried, which adds an element of risk for delays to the Applicant's construction programme. There is therefore an increased the risk for delays to the construction programme.
- 8.59. It is hoped that the agreement of the DAMS/OWSI will resolve HE's concerns in respect of the issues listed in Table 5-1 of the Statement of Commonality

9. DEVELOPMENT CONSENT ORDER

- 9.1. Requirement 9 of the Draft DCO relates to archaeological remains and provides (as currently drafted);

Archaeology

9. —(1) No part of the authorised development is to commence until for that part a scheme for the investigation and mitigation of areas of archaeological interest, reflecting the mitigation measures included in **EMP chapter 6 (Cultural Heritage) of the environmental statement**, with provision for sub-written schemes of investigation for each area and each phase (evaluation or detailed excavation or watching brief), has been prepared in consultation with the relevant planning authority and the local highway authority, agreed with the County Archaeologist and submitted to and approved in writing by the Secretary of State.

(2) The authorised development must be carried out in accordance with the archaeological framework strategy and sub-written schemes 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 archaeological framework strategy and sub-written schemes of investigation referred to in sub-paragraph (1) must be agreed with the County Archaeologist **in consultation with Historic England** and implemented within a timescale agreed with the County Archaeologist and deposited with the Historic Environment Record of the relevant planning authority within two years 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—

- (a) retained in situ and reported to the County Archaeologist as soon as reasonably practicable; and
- (b) subject to appropriate mitigation as set out in the archaeological framework strategy and mitigation agreed with the County Archaeologist **in consultation with Historic England**.

(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 the remains are reported to the County Archaeologist under sub-paragraph (4) unless otherwise agreed in writing by the Secretary of State.**

(6) **Prior to commencement of development,** suitable resources and provisions for long term storage of the archaeological archive will be agreed with the County Archaeologist.

9.2. HE require the following amendments to the DCO;

9.2.1. Amendment of Requirement 9(1) to refer to the Environmental Management Plan rather than Chapter 6 (Cultural Heritage) of the Environmental Statement. Additional and more detailed mitigation than that identified in the ES is to be provided through the DAMS/OWSI which is currently the subject of discussion with the Applicant.

9.2.2. Amendment of Requirement 9(3) to add inclusion of the words "in consultation with Historic England" to ensure any programme of archaeological reporting, and post excavation requirements are agreed by the County Archaeologist in consultation with Historic England.

9.2.3. Amendment of Requirement 9(4) to add inclusion of the words "in consultation with Historic England" to ensure any programme of archaeological reporting, and post excavation requirements are agreed by the County Archaeologist in consultation with Historic England.

9.2.4. Amendment to the text of Requirement 9(5). It is currently unclear if, once identified, the archaeologists only have 14 days to record the archaeology found. If so, and the archaeology found is more complex, 14 days will unlikely be sufficient time for adequate and appropriate recording. HE's position is that the timescales included here should reflect the timescales and methodology agreed in the DAMS/OWSI which will be included in the draft DCO as the discussions in respect of the DAMS/OWSI progress throughout the Examination.

9.2.5. It is HE's position that the wording currently provided in Requirement 9(6) does not represent current good practice. Agreement should be reached with the County Archaeologist as to archive provision of archaeological discoveries before construction works begin.

10. CONCLUSION

10.1. In its Relevant Representation to PINS dated 2 September 2021 HE outlined the following areas of concern in relation to the proposed Scheme;

- Impacts on Designated Heritage Assets
- Understanding of undesignated Heritage Assets
- Proposed enhancement of Emma's Grove Barrows and lack of proposed enhancement of Crickley Hill Camp.
- Limited understanding of wider construction and mitigation impacts on the archaeology.

10.2. HE is of the view that the potential impact upon the archaeological record was adequately assessed prior to submission of the ES (including the Archaeological Assessment missing key sites, the omission of a full Desk-Based Assessment, limited geophysics and evaluation and no geo-archaeological investigations).

NSPNN 5.127 provides that

" The applicant should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be

proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant Historic Environment Record⁹⁹ should have been consulted and the heritage assets assessed using appropriate expertise. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, the applicant should include an appropriate desk-based assessment and, where necessary, a field evaluation.

DMRB LA106 Baseline scenario 3.8-3.9 outlines the basic information needed and refers to Chattered Institute for Archaeologists (ClfA) Standards for that work. "

- 10.3. The lack of pre-determination evaluation and survey of the archaeological resource means that there is a large amount of work to be undertaken post-consent and pre-construction. The timescales for this need to be sufficient to allow proper investigation and analysis of the results to allow the County Archaeologist and HE to assess the harm to the archaeology and provide informed advice on suitable mitigation.
- 10.4. HE is also concerned that post-consent there may not be sufficient time to undertake all the recommended archaeological mitigation work, allowing proper assessment of the nature and significance of archaeological remains and the impact upon them. This point is currently being discussed with the Applicant to ensure appropriate mitigation is agreed and provided through the DAMS/OWSI
- 10.5. HE accepts and acknowledges Chapter 6 of the ES is a point in time and no further information will be provided. HE has therefore used its own knowledge and understanding of the archaeology to address and identify the impacts and mitigation needed. HE recognises that further baseline information, in the form of a full desk-based Assessment or more trial trenching, will not be undertaken and Chapter 6 will not be rewritten or updated. The results of the issues identified within the Chapter are being worked through as HE agree the mitigation through the Detailed Archaeological Mitigation Strategy and Overarching Written Scheme of Investigation (6.4 ES Appendix 2.1 EMP Annex C) (DAMS/OWSI) which HE will require to be agreed to be secured by the Development Consent Order ("DCO").
- 10.6. As part of the DAMS/OWSI there will be a requirement for SSWSIs to be provided. HE will require these to be secured through an appropriate DCO requirement. This is currently being discussed with the applicant and hope this can be resolved during the examination period.
- 10.7. HE agree that the impact of the Scheme on the scheduled monument of Emma's Grove Barrows is moderate adverse as stated in the ES (ES Chapter 6 6.12.1). However HE does not agree that the impact is only a construction impact, the change to the setting is a permanent impact, so is also an operational effect.
- 10.8. HE is of the view that the identified management and enhancement proposed for Emma's Grove Barrow is not sustainable and will not provide long-term improved management. The proposed enhancement seeks to remove scrub and trees from the three barrows and transplant calcareous grassland on to them. There will then be 2 narrow viewing corridors cut through the trees to open up some views to the west and southwest. Based on our previous experience with clearing the barrows and leaving them as a glade this has not been a sustainable way to manage the barrows. They very quickly became overgrown without regular clearance of the scrub and tree regrowth. HE would like to see the whole of

the scheduled monument area to be cleared of scrub and trees and for the site to be incorporated into the calcareous grassland proposed for the field to the east. This will ensure the management of the barrows under grassland is sustainable. For the monument to be removed from the Heritage at Risk Register the current management issues need to be addressed and a long-term strategy put in place to manage the site under calcareous grassland. The NSPNN 5.130 states that "The Secretary of State should take into account the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities"

- 10.9. It is HE's view that the impact on the setting of Crickley Hill Camp is harmful but that it is not substantial harm. The new road will impact on the setting of the monument which contributes to its significance, through additional vehicle movements being visible and with no decrease in noise levels. We would like to see further work undertaken to reduce the visual impacts and reduce the noise levels to improve the experience of the monument. The lack of any enhancement proposed for Crickley Hill Camp is a concern and further discussions with National Highways is needed to explore opportunities to reduce the noise and road impacts on the high value designated heritage asset. This position is supported by National Trust.
- 10.10. HE will continue to discuss those matters yet to be agreed as part of a positive, constructive dialogue with the Applicant, in the interests of identifying solutions to the outstanding issues identified in this Written Representation.

References

Hey and Lacey 2001. *Evaluation of Archaeological Decision-making Processes and Sampling Strategies*, Gill Hey and Mark Lacey, Kent County Council, 2001.

Historic England 2016 Preserving Archaeological Remains

Historic England 2018 a, *Causewayed Enclosures: Introductions to Heritage Assets*, Swindon, Historic England.

Historic England 2018 b Hillforts: *Introductions to Heritage Assets*, Swindon, Historic England.

Historic England 2018 c Settlement Sites to 1500: Scheduling Selection Guide, Swindon, Historic England.

Savage, R 2018 - *Village Fortress Shrine, Crickley Hill, Gloucestershire*, Crickley Hill Archaeological Trust.

Appendices

Appendix A

Relevant NHLE descriptions and plans

12/9/21, 5:21 PM

Three bowl barrows, known as Emma's Grove round barrows, Coberley - 1017079 | Historic England

Official list entry

Heritage Category: **Scheduled Monument**

List Entry Number: **1017079**

Date first listed: **25-Oct-1948**

Date of most recent amendment: **25-Nov-1999**

Location

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

County: **Gloucestershire**

District: **Cotswold (District Authority)**

Parish: **Coberley**

National Grid Reference: **SO 93486 15948**

Reasons for Designation

Bowl barrows, the most numerous form of round barrow, are funerary monuments dating from the Late Neolithic period to the Late Bronze Age, with most examples belonging to the period 2400-1500 BC. They were constructed as earthen or rubble mounds, sometimes ditched, which covered single or multiple burials. They occur either in isolation or grouped as cemeteries and often acted as a focus for burials in later periods. Often superficially similar, although differing widely in size, they exhibit regional variations in form and a diversity of burial practices. There are over 10,000 surviving bowl barrows recorded nationally (many more have already been destroyed), occurring across most of lowland Britain. Often occupying prominent locations, they are a major historic element in the modern landscape and their considerable variation of form and longevity as a monument type provide important information on the diversity of beliefs and social organisations amongst early prehistoric communities. They are particularly representative of their period and a substantial proportion of surviving examples are considered worthy of protection.

Although the mounds of the three barrows known as Emma's Grove round barrows have been disturbed, they survive well and will contain evidence for primary and secondary burials, along with grave goods, which will provide information about prehistoric funerary practices and about the size of the local community at that time. The barrow mounds will also preserve environmental information in the buried original ground surface, predating the construction of the barrows and giving an insight into the landscape in which the monument was set. The mounds and their surrounding ditches will also contain environmental evidence in the form of organic remains, which will relate both to the barrows and the landscape within which they were constructed. The sequential construction of the barrows will provide an insight into changes in burial rituals and construction techniques over time. The open areas between the barrows are also significant as they will contain satellite burials, grave goods and other artefacts connected with the construction of the barrows, which will provide information about the monument's role within prehistoric society.

Details

<https://historicengland.org.uk/listing/the-list/list-entry/1017079?section=official-listing>

1/3

The monument includes three bowl barrows, known as Emma's Grove round barrows, situated below the crest of a hill in the Cotswolds. The southern barrow is the largest, having a mound which measures 32m in diameter, and which is 4.2m high on its western side and 2m high on the east. In the centre of the mound is a large depression about 9m in diameter and 1.2m deep, which is thought to be the result of unrecorded excavation in the past. Surrounding the mound is a ditch up to 4m wide and 1m deep, from which material was excavated during the construction of the barrow. To the north west of the large barrow mound is a second mound, measuring 10m in diameter and 0.6m in height. A third barrow is situated 25m to the north east. This mound measures 12m in diameter and is about 1m high. These two smaller barrows also have depressions in the centre of their mounds which are considered to be the result of unrecorded excavation. Surrounding each of the smaller mounds are ditches from which material was excavated during the construction of the barrows. These ditches are no longer visible at ground level, having become infilled over the years, but survive as buried features about 2m wide. The three barrows appear to represent at least two phases of construction, with the two smaller barrows predating the larger barrow.

MAP EXTRACT The site of the monument is shown on the attached map extract. It includes a 2 metre boundary around the archaeological features, considered to be essential for the monument's support and preservation.

Legacy

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

Legacy System number: **32381**

Legacy System: **RSM**

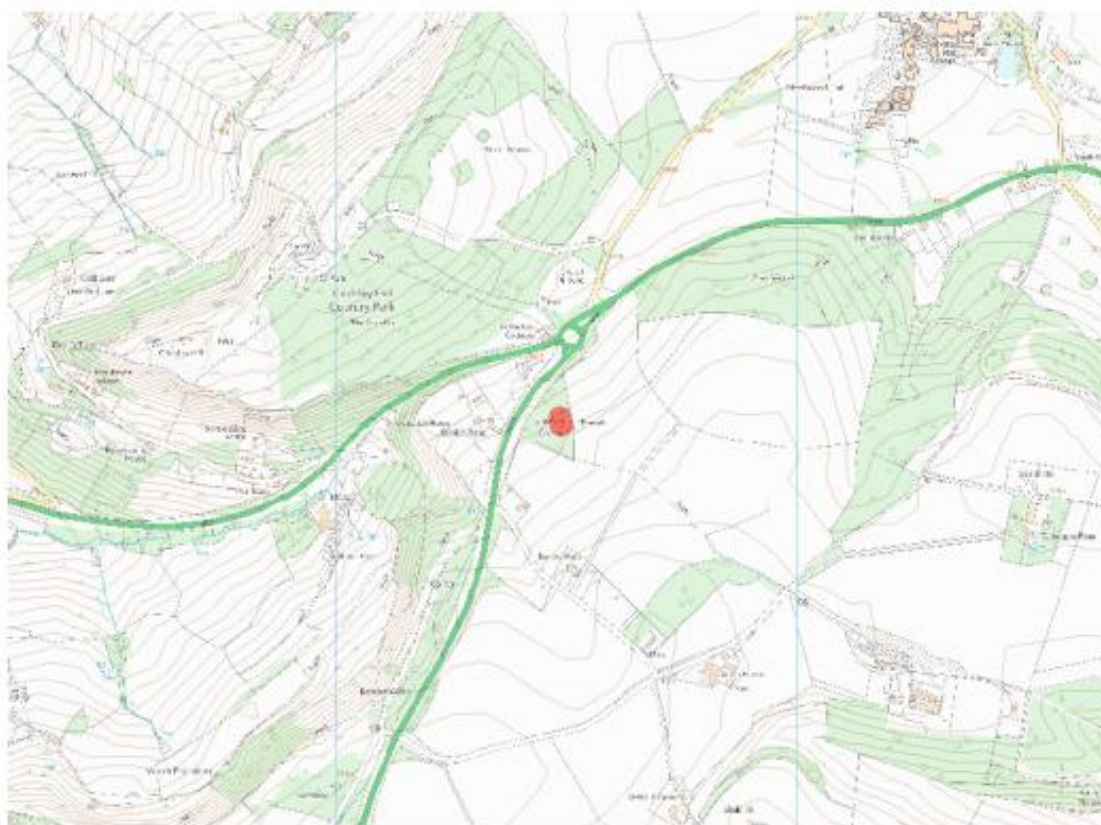
Sources

Books and journals

O`Neil, H E, Grinsell, L V, 'Proc of the Bristol and Gloucestershire Arch Soc' in Gloucestershire Barrows, , Vol. LXXIX, (1960), 109

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.



Map

This map is for quick reference purposes only and may not be to scale.
This copy shows the entry on 09-Dec-2021 at 17:20:38.

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End of official list entry

Official list entry

Heritage Category: **Scheduled Monument**

List Entry Number: **1003586**

Location

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

County: **Gloucestershire**

District: **Cotswold (District Authority)**

Parish: **Coberley**

County: **Gloucestershire**

District: **Tewkesbury (District Authority)**

Parish: **Badgeworth**

National Grid Reference: **SO 92672 16100**

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.

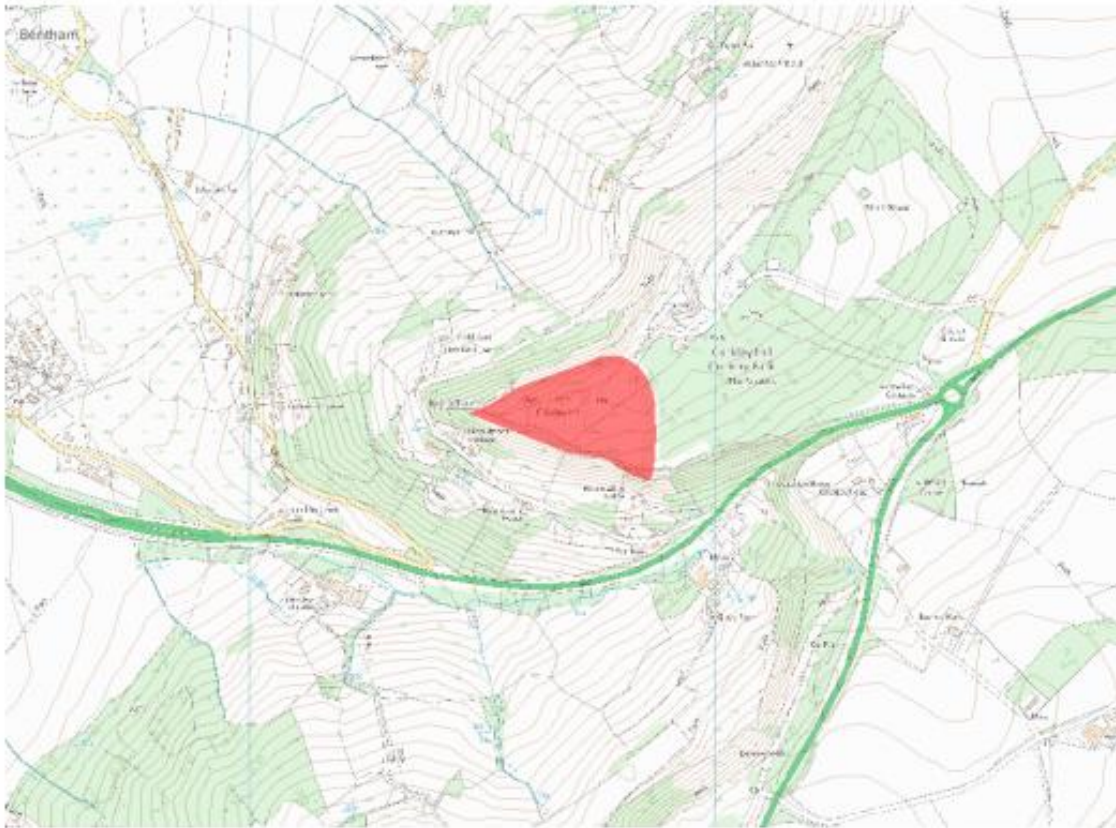
Legacy

The contents of this record have been generated from a legacy data system.
Legacy System number: GC 40

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.



Map

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This copy shows the entry on 09-Dec-2021 at 17:22:33.

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Appendix B

Emma's Grove Barrows: Photos from 2004 and 2016

Composite photo of large barrow taken by Mel Barge September 2004, showing site after clearance in 2003



Taken by Mel Barge in January 2016 from a similar location



Field to be permanent calcareous grassland to left through overgrown hedge.