



## **PINs Registration and Relevant Representation Form**

### **Section 56 Planning Act 2008**

**Response deadline:** 4<sup>th</sup> September 2022

Our ref: PL00586663/  
PL00756505

**Project:** A66 Northern Trans-Pennine Project

PINs Ref: TR010062

**Response by:** Lee McFarlane, Inspector of Ancient  
Monuments, NE&Y

---

### **1. Introduction**

The Historic Buildings and Monuments Commission for England (HBMCE) is better known as Historic England (HE). We are the Government's adviser on all aspects of the historic environment in England, including historic buildings and areas, archaeology and historic landscapes. We have a duty to promote conservation, public understanding and enjoyment of the historic environment. We are an executive Non-Departmental public body and we answer to Parliament through the Secretary of State for Digital Culture, Media and Sport.

We can confirm HE has been party to extensive pre-application discussions with regards to this proposal. These discussions are ongoing and are referred to in the Statement of Common Ground which will be updated as the examination proceeds

### **2. The Proposal**

It is proposed to dual of the remaining single carriageway sections of the A66 Trans-Pennine route between Scotch Corner (A1M) and Penrith (M6) which will affect a range of designated and non-designated heritage assets.

### **3. Representation**

We summarise our representation regarding this proposed project below. Please note we do not intend to attend the preliminary hearing unless otherwise requested by the Examining Authority (ExA); we will however be submitting full written representation at the appropriate date.

### **4. Historic Environment**

The proposed development lies in a highly sensitive area for the historic environment, following a historic route across the North Pennines within the setting





of, directly adjacent to ,or occasionally within high value heritage assets. The affected heritage assets will be set out in full in our written representation.

It was agreed during the detailed pre-application process that assessment of the historic environment would be required for the application, and a number of specific measures were undertaken. This included:

- Archaeological and Historical Background research
- Desk-based historic map survey
- Geoarchaeological Desk Based Assessment
- Examination of previous Historic Landscape Character Assessment work
- Production of a route-wide Gazetteer of Heritage Resources
- Assessment of aerial photographic and LiDAR images
- Geophysical Survey
- Geochemical Survey
- Trial Trenching Evaluation
- Development of a Historic Environment Mitigation Strategy

The supporting information in the DCO is of a high standard and we broadly accept the conclusions. Further detailed comments will be provided in our written representation.

In addition to the above surveys, HE welcome the development by NH of a “Historic Environment Research Framework” for the A66. The aim of the research framework is to highlight topics and areas where additional data from the project may be anticipated, and where there may be potential gaps in knowledge which may affect understanding. In this way, where impacts cannot be avoided, mitigation works can be targeted to produce the maximum public benefit through increased understanding. The themes and contexts developed in this Research Framework have been taken forward into the Detailed Historic Environment Mitigation Strategy (DAMS) document as part of the Environmental Management Plan (EMP).

## 5. Impacts on designated and non-designated heritage assets

Our primary consideration throughout the pre-app discussions has been focussed on the impact of the proposed works on the historic environment, particularly the highly designated assets directly within the order limits.

We have worked with the applicant, other statutory stakeholders and Local Authority colleagues on this issue. We have sought to secure avoidance, prevention or reduction of any harms through design and where this cannot be achieved, reduce and help to develop mitigation measures.





Further advice will be offered through our written representation in relation to the significance of scheduled monuments as well as other highly graded and designated heritage assets affected by the proposal. We will also comment on the degree of harm caused by the proposal and the extent to which it can be mitigated.

We are aware the development will result in a range of potentially significant impacts on a number of Gr. II designated assets and other non-designated assets. We are confident that Local Authority heritage advisors are well equipped to respond to these impacts and advise as necessary on locally specific issues.

The applicant has submitted a suite of documents for the examination. We will provide comments, as necessary, to ensure that the effect of the proposal on the historic environment is fully considered as part of the examination, that harm is avoided, and that appropriate mitigation is secured where necessary.

## 6. Post-consent determinations

Historic England is aware that this application is being treated as a 'pathfinder' project for the 'Project Speed' initiative to streamline the delivery of national infrastructure. One way in which streamlining may be achieved is by limiting the steps the applicant is required to take prior to construction commencing.

The application has therefore indicated that the DCO Requirements will be included as part of the EMP rather than being part of the DCO itself. The application also proposes that, should development consent be granted, it will be possible for NH to amend the second iteration of the EMP without recourse to the Secretary of State. This is a change from the standard approach taken to development consent. We anticipate that the ExA will wish to ensure that the approach to post-consent matters is carefully scrutinised during examination.

In addition, as some elements of the project are still to be finalised, further clarification will be needed as to what the self-approval process outlined above will entail to allow a complete assessment of the application against our statutory remit.

Historic England will therefore comment further on this in our written representation and continue to engage with National Highways on this matter during the examination.





**Re: A66 Northern Trans-Pennine Project – Procedural Decision under Section 89 Principal Area of Disagreement Summary Statement**

	<b>The principle issue in question</b>	<b>The brief concern held by Historic England which will be reported on in full in WR / LIR</b>	<b>What needs to;</b> <ul style="list-style-type: none"> <li>• change, or</li> <li>• be included, or</li> <li>• amended</li> </ul> <b>so as to overcome the disagreement</b>	<b>Likelihood of the concern being addressed during Examination</b>
1	<i>Procedural Issues</i>			
a	The application has indicated that the DCO Requirements will be included as part of the EMP (a certified document) rather than being part of the DCO itself. The application also proposes that, should development consent be granted, it will be possible for National Highways to amend the second iteration of the EMP without recourse to the Secretary of State.	This is a change from the standard approach; as many elements of the project are still to be finalised, further clarification will be needed as to what the self-approval process outlined will entail so that we can be confident, for example, that mitigation measures are appropriately secured.	<ul style="list-style-type: none"> <li>• Further clarification as to how the self-approval process will work in practice to appropriately address impacts on the historic environment.</li> <li>• We will continue to engage with NH and SEBs on the proposed self-approval process and seek further clarification as to what the NH self-approval process will entail and how best to ensure appropriate treatment of the historic environment</li> </ul>	We anticipate that the examination will be able to elicit clarification as to how the self-approval process will work in practice, and will have the ability to ensure that any residual concerns are addressed,

2<sup>nd</sup> September 2022



Historic England, Bessie Surtees House, 41-44 Sandhill, Newcastle Upon Tyne NE1 3JF  
Telephone 0191 269 1255 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.

