

Using

Mineral Extraction and Archaeology: A Practice Guide

in conjunction with

Planning Policy Statement 5: *Planning for the Historic Environment*

1 In March 2010 Government issued Planning Policy Statement 5: *Planning for the Historic Environment* which in England replaced and cancelled Planning Policy Guidance Note 16 *Archaeology and Planning* and Planning Policy Guidance Note 15 *Planning and the Historic Environment*. This insert sheet describes the implications of this important change in national planning policy with regard to the planning guidance which is provided in *Mineral Extraction and Archaeology: A Practice Guide* (Minerals and Historic Environment Forum 2008). The URLs for document downloads are provided at the bottom of the table on the next page.

2 PPS5 was issued by Communities and Local Government and copies may be downloaded from CLG's website. It is supported by PPS5: *Historic Environment Planning Practice Guide* published jointly by Communities and Local Government, the Department for Culture, Media and Sport and English Heritage - copies may be downloaded from CLG's and EH's websites. The purpose of the *Historic Environment Planning Practice Guide* (hereafter referred to as HEPPG) is to assist interested parties in implementing PPS5 and to help with the interpretation of the policies it contains (HEPPG, para 1). A key feature of PPS5 is its integrated approach to the historic environment. The elements of the historic environment worthy of consideration in planning matters are termed 'heritage assets' and these may include buildings, parks and gardens, standing, buried and submerged archaeological remains, areas, sites and landscapes, whether designated or not and whether or not capable of designation. Other key features of PPS5 include greater clarity on what makes heritage assets significant, and therefore greater clarity on the acceptability of development that may affect the historic environment. In particular, it is the significance of heritage assets that PPS5 sets out to safeguard and promote.

3 *Mineral Extraction and Archaeology: A Practice Guide* (hereafter referred to as MEAPG) contains several direct references to PPG16 regarding: the robust planning policy basis for the document (Introduction, paras 3 and 15); the presumption in favour of the preservation *in situ* of nationally important archaeological remains and their settings (paras 13 and 36); the criteria for establishing archaeological importance (paras 13, 37 and 57) and the appropriate weight to be afforded to the preservation of archaeological remains (para 10); development plans (para 25); pre-determination evaluation (paras 19 and 20); the

desirability of early dialogue with archaeological curators (para 31), and; model archaeological conditions (para 36).

4 PPS5 continues the robust planning policy basis for archaeological remains as a component of the historic environment; PPS5 Policy HE9.1 sets out the presumption in favour of the conservation of designated assets, and paras 70 - 122 of the HEPPG provides detailed advice on the weight to be afforded to the conservation of heritage assets, whether designated or not. The setting of heritage assets is addressed by PPS5 Policy HE10 and HEPPG paras 113 - 124. The criteria for establishing national archaeological importance are replicated from PPG16 within *Scheduled Monuments: Identifying, protecting, conserving and investigating nationally important archaeological sites under the Ancient Monuments and Archaeological Areas Act 1979* (DCMS 2010). Development plans are addressed by PPS5 Policies HE2 and HE3 and HEPPG paras 33 - 45. The information that is necessary to support a planning application is set out in PPS5 Policy HE6, and the requirements for desk-based assessment and field evaluation are described in HEPPG paras 61 - 66. PPS5 Policy HE6 refers to the need to consult Historic Environment Records, and HEPPG paras 63 - 66 emphasise the importance of early engagement in pre-application discussions. Advice on appropriate planning conditions and obligations is set out in HEPPG paras 139 -140.

5 PPS5 set out to capture existing good practice with planning affecting the historic environment, and this includes the guidance set out in MEAPG. Following the publication of PPS5, the 'agreed basis' for MEAPG remains unchanged (MEAPG paras 5-21), as does the advice on when, where and who to consult, together with the archaeological techniques that may be appropriate at each stage of the planning process. MEAPG emphasises the fundamental importance of appropriate dialogue, forward-planning, and informed decision-making - as does PPS5. It is important to note, however, the changes and greater clarity of PPS5 (compared with PPG16) with particular regard to the holistic approach to the historic environment, its updated terminology, the emphasis on informed decision-making, and also with regard to consideration of 'proportionality' and judging the acceptability of development. Paragraph 101 of the PPS5 HEPPG refers to MEAPG and notes that archaeological interest is often of particular importance in proposals for mineral extraction.

6 The PPS5 *Historic Environment Planning Practice Guide* is intended to be a living document and there is a commitment to keep its implementation and content under review in the light of emerging practical experience with the application of PPS5. In due course, an updated, PPS5 compliant edition of MEAPG may be issued - in the interim, users are encouraged to refer to MEAPG in conjunction with this insert sheet and familiarise themselves with PPS5 together with its supporting *Historic Environment Planning Practice Guide*.

Minerals and Historic Environment Forum, August 2010

<i>Mineral Extraction and Archaeology: A Practice Guide</i> Paragraph no.	<i>Mineral Extraction and Archaeology: a Practice Guide</i> reference to PPG16	Relevant PPS5 Policy	PPS5 <i>Historic Environment Planning Practice Guide</i> Paragraph no.
Introduction	PPG16 as Government's planning policy guidance	All of PPS5	1 - 9
3	Strong policy basis for the document	All of PPS5 - strong policy basis now further reinforced by holistic approach to the historic environment	1 - 9
10	The weight afforded to be afforded to the preservation <i>in situ</i> of heritage assets, PPG16 paras 21-22	HE7, HE8 and particularly HE9	70 - 112
13	The presumption in favour of the preservation <i>in situ</i> of nationally important remains and their settings	HE9 and HE10, but note new terminology i.e. 'archaeological interest' and 'significance'	85 - 112, and guidance on setting at 113-124
13	Criteria for national archaeological importance, PPG16 Annex 4	See DCMS 2010	See DCMS 2010
15	Government planning guidance for archaeology	PPS5	1 - 9
19	Pre-determination evaluation as a 'rapid and inexpensive process', PPG16 para 21	-	62
20	Requirements for pre-determination evaluation, PPG16 para 21	HE6 and HE8	61 -66, 83-84
25	Development plans, PPG16 para 15	HE2 and HE3, and Introduction para 2	33 - 45
31	Requirement for early discussions with archaeological curators	HE6 refers to consulting Historic Environment Records, HE8 to seeking advice from the LPA	63 - 66, 84
36	Model archaeological condition, PPG16 para 30	-	139 - 140. Note: until a new set of historic environment conditions have been prepared following consultation the model condition no. 55 in Planning Circular 11/95 will be used as the default condition replacing that at paragraph 30 of PPG16.
36	Presumption in favour of the preservation <i>in situ</i> of nationally important archaeological remains and their settings	HE9 and HE10, but note new terminology i.e. 'archaeological interest' and 'significance'	85 - 112. Note that this policy allows for designated and undesignated sites as being of national importance - see DCMS 2010. Guidance on setting at 113-124
37	Criteria for national archaeological importance, PPG16 Annex 4	See DCMS 2010	See DCMS 2010
57	Criteria for establishing archaeological importance	See DCMS 2010	See DCMS 2010

References: CLG 2010 Planning Policy Statement 5: *Planning for the Historic Environment* download at www.communities.gov.uk/publications/planningandbuilding/pps5
CLG / DCMS / EH 2010 Planning Policy Statement 5: *Historic Environment Planning Practice Guide* download at www.english-heritage.org.uk/publications/pps-practice-guide/pps5practiceguide.pdf
DCMS 2010 *Scheduled Monuments Identifying, protecting, conserving and investigating nationally important archaeological sites under the Ancient Monuments and Archaeological Areas Act 1979* download at www.culture.gov.uk/images/publications/ScheduledMonuments.pdf
MHEF 2008 *Mineral Extraction and Archaeology: A Practice Guide* download at www.helm.org.uk/upload/pdf/Mineral-Extraction.pdf