

PUBLIC INQUIRY

APPLICATION BY NETWORK RAIL UNDER TRANSPORT AND WORKS ACT 1992

PROPOSED NETWORK RAIL (CAMBRIDGESHIRE LEVEL CROSSING REDUCTION) ORDER 201X

OBJ/12-CAMBRIDGESHIRE COUNTY COUNCIL REBUTTAL PROOF OF EVIDENCE

KASIA GDANIEC SENIOR ARCHAEOLOGIST

1. This document is a Rebuttal Proof of Evidence (Rebuttal), which is submitted to the Inquiry, in response to, and with the intention of rebutting, evidence previously submitted to the Inquiry by Susan Tilbrook of Mott MacDonald (MM) on behalf of Network Rail (NR). Each of the numbered paragraphs which are referenced below features in the respective NR Proof of Evidence (PoE).

Susan Tilbrook

Paragraph 1.6.9

2. Susan Tilbrook makes reference to MM having undertaken a “high level environmental desk-based study”. This has not been received by CCC. She mentions that sites with statutory protection were sought to determine environmental impact. She does not mention whether non-designated historic environment assets were also sought to determine sensitivity and for predictive and prospection work.
3. The Historic Environment Team act as advisers to the local planning authorities operating in Cambridgeshire. To ensure consistency of approach, we prefer the use of archaeological planning conditions that do not specify the use of one investigative technique over another, but prefer to recommend that an appropriate programme of archaeological works is presented in a Written Scheme of Investigation, where the

works are subsequently designed to be proportionate, justifiable and commensurate with the development threat and change to the historic environment. To this end a suitable condition, routinely used in our planning responses, was presented in the CCC Statement of Case in September 2017.

4. Furthermore, we recommend that archaeological contractors who bear the risks associated with fieldwork, subsequent analysis, reporting and archiving should write Written Schemes of Investigation in response to standard planning conditions, and we require that they uphold and maintain professional standards expected of those interacting with the archaeological resource. Network Rail's proposed archaeological condition falls below the standard that we would recommend to planning authorities as no indication of conformity to professional standards is given. Therefore CCC maintains its objection to NR's proposed condition. Please see paragraph 4 of my PoE where the two planning conditions (WS's and CCC's) are presented along with their reasons.
5. The HET made recommendations for advance excavation at three locations of the scheme, which it prepared on 22/12/16 in response to the Environmental Information Assessment (EIA) Scoping Opinion consultation. The locations are:
 - C06 Barrington Rd (now dropped from the scheme)
 - C14 Eastrea Crossing Drove
 - C15 Brickyard Drove
6. The HET recommendations made on 22/12/16 for the two remaining scheme areas in which excavation is required are shown below as an extract from the original advice I supplied to Mott MacDonald on 22/12/16. Please note that 'excavation' is always limited to main areas of impact within a development or scheme feature's footprint. Excavation is an important investigative technique as it does not serve merely to note the presence of archaeological evidence, but to examine it in relation to its context and to carefully recover significant artefacts.

C14 – Eastrea Cross Drove	530442	296555	Prehistoric log boat remains were found during a watching brief on the railway line in 1979 (ECB582). The location conforms to a relict roddonised channel of the prehistoric Nene river system on the surface model.	Excavation ahead of all ground works
C15 - Brickyard Drove	529691	296485	Prehistoric log boat remains were found during a watching brief on the railway line in 1979 (ECB582). The location conforms to a relict roddonised channel of the prehistoric Nene river system on the surface model. Prehistoric and Roman finds have been found at Lattersey Farm to the west (MCB12045-6).	Excavation ahead of all ground works

Paragraph 1.12.3

7. The proposed planning conditions were presented by WS in NR's draft Order Application deposited on the 14th March 2017, in Schedule 1 of document Rule 10 (6) Request for Planning Permission (incorrectly cited as being presented to CCC in June 2017 at paragraph 4 of my PoE). . The proposed WS condition is in two parts:
 - (a) any location where a watching brief is required during construction, and
 - (b) appropriate measures to be taken if any significant archaeological remains are found.
8. The Archaeological technique is quoted as being 'watching brief'. CCC does not recommend watching brief for investigative work in Cambridgeshire, as it is a sub-standard method of primary engagement with the archaeological resource,

preventing any detailed excavation and recovery work of significant evidence.

Watching briefs are limited to noting presence or absence of archaeological evidence but rarely allow the dating and interpretation of that evidence. The 1979 watching brief on railway workings noted in the excerpt above did not result in the recovery of the boat, or that it was able to be seen intact.

9. A watching brief, as indicated in the WS condition, is not fit for purpose as an investigative and recording method for areas in which known, significant archaeological evidence has been found in association with earlier railway workings.

Paragraph 1.12.6

10. The second part of the WS paragraph indicates that LPA are to approve plans for watching brief locations and then to enforce the planning conditions. We therefore advise that the condition to be used is that which ensures professional standards of modern archaeological investigation can best be met.
11. Having discussed the short comings of part a), considerable risk to the NR programme timetable is presented by needing to conduct responsive works if significant remains are found. Use of the CCC recommended condition allows for advance works to take place in known locations so that risks to delay in the construction programme are eliminated or minimised. This is best practice for archaeological schemes that respond to development threats. CCC would not recommend a scheme that would jeopardise the smooth, swift execution of proposed archaeological work within the construction programme.
12. In the absence of a desk-based assessment of all evidence from the historic environment (non-designated evidence is not outlined as being included in the scope of the “high level environmental desk-based study” and this is a significant omission since non-designated assets comprise the majority of known historic environment information, those benefitting from statutory protection are a comparatively small data set – roughly less than 1% are scheduled monuments of an overall data set of

20,000 historic environment records), Network Rail will not be able to understand the character and significance of the known archaeological resource and, therefore, how it should be investigated. Given this situation, we strongly recommend that Network Rail accepts our professional advice and recommendations for dealing in the most appropriate manner with the few non-designated though significant heritage assets we have described.

Signed

A handwritten signature in black ink, appearing to read 'Maria Gdaniec', written in a cursive style.

Dated

16/11/17