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Our ref: PL00751242

The Rt. Hon. Mr Secretary of State for Transport
c/o Transport Infrastructure Planning Unit
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

2 August 2021

Dear The Rt. Hon. Mr for Transport

Transport and Works Act Order for Cambridge South Infrastructure Enhancements: proposed new railway station, enhancement works to Shepreth Branch Junction, and track improvement works to the southern approach to Cambridge Station.

Thank you for your letter of 21st June 2021 consulting us on the above Transport and Works Act Order.

Historic England welcomed the opportunity for early engagement that is referred to in the submission.

Our primary concern at this stage is the proposed length of haul road accessing the Shepreth Branch Junction, which runs within the eastern edge of the Scheduled Monument, the 'Site revealed by aerial photography W of White Hill Farm, Great Shelford', National Heritage List 1006891).¹ This is a designated heritage asset of high overall significance, legally protected as being of national importance. Excavations to create the single-track haul road will involve harm to a narrow strip of the designated area of the Scheduled Monument, tight along its eastern boundary where it is defined by the existing railway.

We offer the below advice to assist in decision making.

Summary

On the basis of i) the submitted details of the proposed impacts ii) the archaeological background and iii) proposed mitigation, we would not consider the impact to be such that it would be likely to cause 'substantial harm' to the significance of the monument overall (in the language of the National Planning Policy Framework 2021).

However, we advise that paragraphs 200 and 201 of the NPPF relating to planning balances, justification and public benefit are especially relevant to decisions.

¹ <https://historicengland.org.uk/listing/the-list/list-entry/1006891>





We highlight, as noted in the submission, that Scheduled Monument Consent will be required for the works and that the decisions ultimately rests with the Secretary of State for Digital, Culture, Media and Sport.

We would also advise minor modifications to the wording of condition 11 on the proposed Deemed Application (NR12), to clarify that the commitment is towards archaeological mitigation and investigation rather than just to evaluation works, and that 'development' also refers to the effectively enabling works of construction of haul roads and compounds.

Significance of the Scheduled Monument

The submission reflects the archaeological potential of land within and around the proposed development area, with discussion on the nature and context of remains. The Environmental Statement (ES) is supported by the results of desk-based assessment, geophysical survey and targeted trial trench excavations.

In the vicinity of the Scheduled Monument, remains are particularly of prehistoric and Roman date. The designated area covers a complex of features identified from cropmarks, and geophysical survey. The north-western portion of the complex comprises sub-square enclosures, previously identified as a villa or large farmstead, with ditches on the same alignments as the enclosures extending to the north and south. A series of northwest-southeast aligned ditched trackways and enclosures extends from the southeast corner of the complex eastwards beyond the scheduled area, indicative of a settlement and field system that has a track accessing from the south east.

The proposed haul road runs along the very eastern edge of the scheduled area, away from the concentrated complex in the north-western part of the scheduled area, but closer to the previously mentioned trackways and enclosures. There has been no intrusive archaeological evaluation within the Scheduled Monument to date (although consent is now in principle in place for this). However, the evaluation that has been undertaken provides information that can – in this case - be extrapolated for consideration of the designated area. 'Trench 4' sampled some elements of the cropmark complex where they extended outside of the designated area. The results showed well preserved remains, but beneath a relatively shallow overburden of c0.35m, also indicated by other trenches. The remains in trench 4 also accorded with the geophysical survey, with a roman ditch identified, but they also showed the potential for further ephemeral remains (with a likely Bronze Age ditch identified) which confirms that not all features are likely to have been picked up in non-intrusive surveys.

Roman pottery from the ditches was noted to be abraded, which suggests it may have been laying around before it made its way into the ditches; this may demonstrate the different character of this area of the site compared to the complex to the northwest.

Impact of the Proposals



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We acknowledge that design has sought to avoid encroachment and impacts on the White Hill Farm Scheduled Monument, and its setting, as far as possible. We note the proposed landscaping of the area of land to the north of the monument and proposed screening of the permanent compound, and also note the proposed screening in relation to the approach to the Nine Wells Monument (National Heritage List 1127825).

However, as is acknowledged in the Environmental Statement, the impacts on the Scheduled Monument and non-designated remains associated with it can be assessed as moderate-adverse after mitigation. This is because the haul road will involve severe truncation and removal of remains.

At Environmental Scoping stage, we advised that we sought a scheme that minimised physical impacts on the monument, to be informed by the results of further evaluation data and consideration of different construction and mitigation options. However, with the demonstrably shallow depths to archaeological deposits (c. 0.35m of overburden), the Environmental Statement concludes that even if track matting was laid over the remains, they would be vulnerable to crushing and compaction, particularly in bad weather. This would represent a significant impact that would be unmitigated through recording.

The Planning Statement states that the works affecting the Scheduled Monument will be necessary to implement the proposed development (1.1.8) and so, given the shallow depth and vulnerability, a programme of archaeological excavation and recording is proposed.

Relevant Policy

The National Planning and Policy Framework (NPPF) establishes a presumption in favour of sustainable development in the planning system (paragraphs 7, 8, 10 and 11) which also identifies protection of the historic environment as an important element of achieving sustainable development. Further policy principles relating to the historic environment are set out in Chapter 16 of the NPPF

...it emphasises the importance of conserving heritage assets, which are an irreplaceable resource, in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations (NPPF para. 189).

In particular paragraph 194 states that *'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'*. Para 195 says *'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset)*. This policy also says that the significance of





the heritage assets '*should be taken into account 'when considering the impact of a proposal on a heritage asset'.*

Paragraph 199 requires the planning authorities to place '*great weight*' on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be, '*this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*'. Paragraph 200 States that '**any** harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'.

201 states that *where a proposed development will lead to substantial harm to a designated heritage asset, **local planning authorities should refuse consent**, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.*' Finally here, paragraph

Para 202 states Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

203 states that '*the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*'

Proposals that preserve "those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably" (para 206).

Historic England Position

Overall, the impacts involve a moderate degree of harm to designated remains, although we would not consider the impacts to be 'substantial harm' to the significance of the monument overall.

The area to be affected is a low percentage of the designated area, and, as noted above, it is close to the existing railway, which in places may have impacted preservation. Further, the location means that it represents a transect through the scheduled monument closer to the trackway and field systems rather than, for example, though the area of more complex remains in the north-western part of the scheduled areas. The submission proposes archaeological excavation to mitigate for impacts. Geophysical survey could indicate that there are a lower density of features in the area of the Scheduled Monument to be affected, although there are caveats with relying on a single evaluation technique and, as noted above, other features may be present.





The applicant may be able to confirm the discounting of other options for the haul road. We note the presence of the National Cycle Route on the eastern side of the railway, and that construction compounds are required on both side of the railway as construction traffic cannot cross without significant periods of closure.

On the basis of the above, we do not offer any fundamental objection to the conclusions of the Environmental Statement and mitigation proposals, although highlight that decisions would ultimately rest with the Secretary of State for Digital, Culture, Media and Sport. In making a decision, tests of public benefit to justify impacts would be sought.

A commitment to making an application for Scheduled Monument Consent is set out in the submission (NR10). We would support the proposal that an application is made prior to construction of the haul road, given the draft condition relating to archaeological work and the overall commitment to mitigation. However, we would be happy to comment on a proposed submission, particularly the WSI, and to advise on timings for the consent process.

As is acknowledged in the application, there is a risk of archaeological remains being more complex than anticipated. We would therefore expect a WSI to allow ample time for excavation of archaeological remains between a site strip and construction of a haul road.

We would welcome an outreach programme in any WSI, to widen public knowledge and understanding of the area.

In relation to condition 12, we highlight that a WSI for works in the Scheduled Monument should also be submitted to Historic England in addition to the Local Authority, although this would be covered by a separate condition on any Scheduled Monument Consent, and we would anticipate working with Cambridgeshire Historic Environment Team.

Recommendation

We advise that we are satisfied that the submission meets paragraph 194 of the NPPF.

As noted above, we advise that paragraphs 200 and 201 of the NPPF relating to planning balances, justifications and public benefit are especially relevant to decisions.

We would also advise minor modifications to the title of condition 11 on the Request for Deemed Planning Permission (NR12), to clarify that the commitment would be to archaeological mitigation and investigation rather than just to evaluation works.

We would also seek clarification that the commencement of 'development' referred to





Historic England

in the proposed condition includes construction of the haul road and compounds, otherwise the condition may need amending to include preparatory works.

We recommend that impacts upon the grade II listed buildings, non-designated heritage and historic landscape should be discussed with the relevant Conservation and Design officer and the Cambridgeshire Historic Environment Team.

You should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

Yours sincerely,

Abby Antrobus

Inspector of Ancient Monuments

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cc: Andy Thomas, Cambridgeshire Historic Environment Team



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