Dear Minister,

Last week, HM the Queen announced the Government’s intention to introduce a Neighbourhood Planning and Infrastructure Bill later this year. The Council for British Archaeology (CBA) notes that the Bill proposes reforming pre-commencement planning conditions as part of efforts to streamline the planning system and support the economic recovery.

The CBA is the national amenity society concerned with protection of the archaeological interest in heritage assets. We have a membership of 500 heritage organisations who, together with our thousands of members, represent national and local bodies encompassing state, local government, professional, academic, museum and voluntary sectors. We work closely with colleagues in the Chartered Institute for Archaeologists and the Association for Local Government Archaeological Officers, amongst others.

The CBA, of course, strongly supports the high level objectives outlined for the Bill. We all agree that we need more housing for our growing population, and we believe that our historic environment makes a significant contribution to sustainable development and place-making. With this in mind, we are keen to hear more about the Government’s intentions as regards the provision to streamline pre-commencement options, and particularly, how it is likely to impact the process of investigating the archaeological and ecological significance of a site, prior to the granting of planning permission and commencement of development work on-site.

In its report of the Queen’s Speech, the Daily Telegraph reported that “archaeological and wildlife surveys [carried out] before starting housing projects are to be swept away in a new Neighbourhood Planning and Infrastructure Bill”. This led to a strong grass-roots response from people on social media against the perceived threat to archaeology – with over 10,000 signatures on a petition gained in under four days. The National Trust and the Campaign to Protect Rural England, among others in the archaeological sector, have also raised concerns specifically regarding the potential for threat to archaeology and wildlife protection.

We recognise that much of this concern may turn out to be unfounded as the Bill has yet to be published – and we were encouraged by your response on Twitter over the weekend that the concern was “misinformed”, but we would welcome re-assurance from you at this stage that the proposals will not adversely impact the use of pre-commencement conditions to investigate and (where appropriate) protect archaeological sites in the public interest.
As you know, over 90% of planning applications are granted, and it is very rare for an application to be turned down on archaeological grounds. Less than 1% of planning applications even need archaeological conditions to be attached to the planning permission. In most cases where it is needed, archaeological work undertaken in advance of planning permission being granted, funded by the developer, ensures that the maximum public benefit can be gained from the development and there are no unexpected and expensive delays during the subsequent development work on-site. This works to everyone’s advantage and the process is well understood with firm roots (in England) in the National Planning Policy Framework (NPPF).

We would be very pleased to work with your office and with CLG officials over the coming weeks and months to ensure that no unintentional consequences arise from the Bill which will damage the proportionate approach to archaeological protection currently outlined in the NPPF. People care deeply about the historic environment and we are keen to work with you to ensure that the planning system is as efficient as possible, whilst sustaining an effective system of environmental protections for archaeology and ecology.

We can provide further briefing on key archaeological issues relating to planning on request.

In the meantime, we would appreciate your urgent re-assurance that the Neighbourhood Planning and Infrastructure Bill is not being drafted to ‘sweep away’ the requirement for pre-commencement archaeological work, as suggested by the Telegraph.

We look forward to hearing from you.

Yours faithfully,

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cc David Evennett MP, DCMS Parliamentary Under Secretary of State for Sport, Tourism & Heritage