



RESCUE

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Mineral Extraction and Archaeology

RESCUE, the British Archaeological Trust, is a charitable trust dedicated to supporting archaeology and the historic environment in Britain and abroad. Our comments on the draft *Historic England Advice Note: Mineral Extraction and Archaeology* are as follows, with our response to the individual sections of the document followed by our overall views.

1. Introduction This sets out the aims, scope and principles behind the Guidance, indicating that the fairly recent past has seen an increase in the amount of good-quality archaeological information retrieved from mineral extraction sites. It does not set out however why this particular Guidance is actually necessary. Each Aim set out in paragraphs 4-5, and each of the principles set out in paragraph 9, are replicated in other national planning policy and guidance (e.g. the 2012/2018 NPPF, 1979 Ancient Monuments and Archaeological Areas Act, professional and technical best practice principles and guidance etc.). This Guidance *appears* to be operating on a premise that the archaeological resource on a piece of land should be treated differently if a proposal for mineral extraction were outlined, as opposed to (say) a housing development, yet doesn't satisfactorily explain why.

2. Minerals Plan-Making and Mineral Site Allocations Paragraphs 14 and 15 appear to outline a site allocation process whereby it is the responsibility of the Minerals Planning Authority (MPA) to set out the archaeological concerns associated with a particular site and carry out an appropriate assessment of the impact, in the course of allocating sites and preparing Minerals Plans. This is not the case. A MPA will consult with archaeological advice and the available Historic Environment Record data regarding the archaeological status of a site in the plan preparation phase in order to screen out inappropriate sites where remains of known significance might occur, but it is the responsibility of a future applicant to provide the appropriate, detailed assessment of the risks. This is in line with the process set out in the NPPF (paragraphs 189-192). Box 1 on page 6 is similarly inaccurate and misinformed on this process.

3. The Economics of Mineral Extraction This information is of little value in a (supposed) best practice guide such as this, and this section contributes nothing to the guidance overall as it deals with neither policy nor practice. We strongly recommend it be removed.

4. The Heritage Significance of a Site Whilst there is some information of value in this section, there is nothing which is not expressed in other national guidance. The question again arises as to what this guidance achieves? On a technical point, paragraph 27 outlines that at present it is a rare occurrence for unexpected remains to be encountered, but entirely (deliberately?) ignores the obvious contention that this is precisely because current archaeological best practice – which this document seeks to circumvent in many areas – ensures the accurate acquisition of information at an

appropriate stage. Were this guidance to be adopted and the principles set out later in paragraph 68 and box 6 (for example) to become common, then the instances of “unexpected” remains having detrimental impacts on timescales and costs would dramatically increase. The section also does not deal with concepts such as geological watching briefs to recover Palaeolithic material or RIGS (Regionally Important *Geological* and geomorphological Sites) both of which are problematic to evaluate for but are fundamental to establishing “heritage significance”.

5. Taking a Structured Approach to Setting Whilst consideration of setting is to be welcomed, there is little here which is not expressed more fully in the dedicated guidance on the subject.

6. Dealing with Historic Mines, Caves and Fissures This section is welcome as a reminder that some existing workings are themselves of heritage significance, but is too short to be of sufficiently informative value. There is no recognition of prehistoric mine workings for example, and once again there should be an appreciation and discussion of geological watching briefs. Paragraph 41 proposes intermittent watching briefs as a response, when clearly any response to a site should be designed specifically for the circumstances at hand and not set out as a blanket one size fits all practice. The suggestion that only “highly significant” or designated archaeological remains are archaeologically recorded is, of course, incorrect.

7. From Pre-Application to Determination Whilst this section provides a broadly correct overview of the process, there is much detail which is either incorrect or extraneous, or is once again better expressed in alternative standards and guidance documents. Paragraphs 54-63 in particular place an over-emphasis on the efficacy of desk-based assessment, whilst point C. and paragraph 66 are almost provocative in the implication that some evaluation exercises are not site-specific and question-led. Were the entirety of the rest of this document perfect, the evaluation specifications set out in paragraph 68 alone would be sufficient for us to recommend its rejection, whilst box 6 is particularly objectionable and provides advice about evaluation and mitigation measures that do not follow either best practice or national standards.

Section **8. Post-Determination and Operational Issues** suffers from similar deficiencies in understanding of the process and the correct and relevant national policies and practice. Paragraph 106 is of particular concern in this regard, whilst much of section **9. Recording the Archaeological Outcomes from Mineral Development** downplays the damage that minerals extraction does to heritage landscapes.

Additional Comments and Recommendations.

It is clear that this document suffers from significant technical problems. It is not reflective of national planning policy, nor is it reflective of current archaeological advice or best practice. RESCUE cannot endorse this document appearing in this form and, were it to do so, would recommend to the relevant minerals planning authorities that it should be disregarded. As a close examination of the text reveals the large-scale but inherently inferior replication or contradiction of advice given in similar documents produced by Historic England and other bodies such as ClfA and ALGAO, we recommend that there is no need for specialist guidance covering this topic. We suggest that far greater clarity of purpose for minerals planning authorities and minerals applicants would be provided by deleting this document than by publication.



Chair, RESCUE, The British Archaeological Trust