

12. ANNEX 1: THE CONDUCT OF ARCHAEOLOGICAL WORK & HISTORIC BUILDING RECORDING WITHIN EXMOOR NATIONAL PARK

- 12.1 This annex is a guide for developers and their archaeological contractors, historic buildings advisors, architects and consultants and all involved in the planning process. It sets out standards and guidance for archaeological work and historic building recording in Exmoor National Park undertaken as part of the planning process. It will ensure that all work of this kind within Exmoor National Park is carried out in a professional manner and to a high standard.

INTRODUCTION

- 12.2 The National Planning Policy Framework 2012 considers that the Historic Environment is a material consideration in the determination of planning applications (paragraphs 5.88-5.110 of the Exmoor National Park Local Plan, set out the importance of Exmoor's Heritage Assets, and policies CE-S4 and CE-D3, are designed to protect them).
- 12.3 The purposes of the National Park as set out in Section 61 of the Environment Act 1995 are: 'to conserve and enhance the natural beauty, wildlife and *cultural heritage* of the area' and 'to promote opportunities for the understanding and enjoyment of the special qualities by the public'.
- 12.4 This document sets out the practical process of achieving the full potential of recording and preserving the National Park's archaeological and built heritage. Also within the scope of this document is the archaeological recording of historic buildings.

UNDERLYING PRINCIPLES

- 12.5 The professional body for field archaeologists is the Institute for Archaeologists (IfA) whose members are bound to adhere to a Code of Conduct⁵¹⁹. It is preferable that projects are managed by a Member of the IfA (MIFA). However, the suitability of the manager will be judged by the National Park Authority on their past record. The project manager will be expected to ensure that all project staff and sub-contractors are suitably qualified and experienced. The IfA's Code of Conduct contains four underlying principles and all those involved should remember these four statements:

- a) a member shall adhere to the highest standards of ethical and responsible behaviour in the conduct of archaeological affairs;
- b) the member has responsibility for the conservation of the historic environment;
- c) the member shall conduct his/her work in such a way that reliable information about the past may be acquired, and shall ensure that the results be properly recorded;
- d) the member has responsibility for making available the results of archaeological work with reasonable dispatch.

THE PLANNING PROCESS - BEFORE A PLANNING APPLICATION IS SUBMITTED

- 12.6 The National Park Authority welcomes informal discussion at pre-application stage. Applicants are advised to discuss the potential impact of their application on heritage assets in advance of submitting a planning application or General Permitted Development Order (GPDO) consultation. Mitigation strategies and assessment and evaluation techniques are best addressed early in the consultation process.

⁵¹⁹ By-Laws: Code of Conduct – Institute for Archaeologists (last updated 08 October 2013)

ASSESSMENT AND EVALUATION

- 12.7 When a planning application is assessed by the National Park Authority (pre- or post validation of the application) there may be insufficient information available to make a reasoned decision concerning the likely effect of the proposal on any heritage assets affected, including their setting. Under Policies CE-S4 or CE-D3 an archaeological impact assessment and evaluation may be required before the application is determined. The archaeological assessment and evaluation process should be agreed in writing with the National Park Authority. It may involve either or both of the following processes:
- 12.8 *Desk –Based Assessment* - an assessment of the known/potential historic environment resource or heritage asset within a specified area/site, located on land or underwater. It consists of a collation of existing written and graphic information in order to identify the likely character, extent, quality and worth of the known or potential archaeological resource in a local, regional, national or international context as appropriate.
- 12.9 *Evaluation* - a limited programme of non-intrusive and/or intrusive fieldwork which determines the presence or absence of archaeological features, structures, deposits, artefacts or ecofacts within a specified area/site, on land or underwater. It may include trial-trenching, geophysical survey, environmental sampling and building recording.

ASSESSMENT AND EVALUATION REPORT

- 12.10 The results of the assessment and evaluation stage should be presented as a written report to the National Park Authority. The report should define the location, extent and significance of archaeological remains and other historic assets, and illustrate how these may be affected by the proposals including their setting. It is advisable to discuss the contents of the report with the National Park Authority at draft stage.

THE PLANNING PROCESS – AFTER PLANNING PERMISSION IS GRANTED

PLANNING CONDITIONS

- 12.11 A planning application may be approved with archaeological conditions. This condition may overcome considerations that would otherwise have led to the application being refused. Generally archaeological work or building recording carried out through the planning process is the result of a condition. This will require the applicant to gain agreement in writing from the National Park Authority before development begins. The condition is not fulfilled until the applicant has completed the required work and has deposited a completed archaeological report with the National Park Authority and the completed archive with the appropriate museum or other agency.

THE SPECIFICATION

- 12.12 In the majority of cases the National Park Authority will require that the contractor produces a specification or *Written Scheme of Investigation* (WSI) to be agreed in writing by the National Park Authority in advance. The WSI should set out the basic requirements of the project and the standards which are to be adhered to. A brief for this can be requested from the National Park Authority.
- 12.13 The specification will be expected to:
- contain a reasoned discussion of the field and analytical techniques selected (see 12.9, 12.16, 12.18 and 12.19);
 - give details of techniques, artefact collection policies, discard policies; environmental sampling strategy and recording techniques (see 12.24-5);
 - explain the reasons for the rejection of a particular technique.
 - outline the proposed reporting procedure and the likely timetable, as well as the anticipated content of the final and any other reports (see 12.22-3).

- e) include an indication of the level and format of the archive to be produced (see 12.26).
 - f) give a timetable for obtaining the necessary consents, its preparation and deposition.
 - g) how the results of the project should be reported and published (see 12.22-3).
- 12.14 In addition to normal contingency provisions, the National Park Authority requires a compulsory archaeological science contingency to be included in most projects. This will normally be 15% of the total tender, but the National Park Authority may vary this rate in response to the specific potential of the project.
- 12.15 In addition to any provided brief, the points of reference for the production of the specification or WSI should be based on the advice in the National Planning Policy Framework, and guidance available from the Institute for Archaeologists (IfA), English Heritage, Arts Council England, Archaeological Archives Forum and Society of Museum Archaeologists.

HISTORIC BUILDING RECORDING

- 12.16 Archaeological building investigation and recording is a formal programme of work intended to establish the character, history, date, form and archaeological development of a structure. It may be required as part of an archaeological evaluation (prior to a planning application) to help in the determination of that application, or as part of an archaeological condition in order to record aspects of a building before and/or as development takes place. Such recording should result in the production of an ordered archive and report. The level and extent of recording will be covered within the agreed specification or WSI.

GROUNDWORKS

- 12.17 A planning condition may require a watching brief or a programme of excavations (where the archaeological information is preserved by record) agreed in advance.
- 12.18 A *watching brief* is a formal programme of observation and investigation conducted during any operation carried out for non-archaeological reasons within a specified area or site on land or underwater, where there is a possibility that archaeological deposits may be disturbed or destroyed. The programme will result in the preparation of a report and ordered archive. One of four levels of watching brief will be stipulated:
- a) A comprehensive watching brief - where archaeologists are present at all times during the groundwork operations.
 - b) An intensive watching brief – where archaeologists are on site during the undertaking of sensitive groundwork operations.
 - c) An intermittent watching brief – where archaeologists are on site to observe the groundworks after digging operations have been completed, but before construction work commences.
 - d) A partial watching brief – where observation takes place only when considered appropriate.
- 12.19 *Archaeological excavation (preservation by record)* – a programme of controlled, intrusive fieldwork with defined objectives which examines and records archaeological deposits, features and structures and, as appropriate, retrieves artefacts, ecofacts and other remains within a specified area or site (on land or underwater). The records made and objects gathered during fieldwork are studied and the results of that study published in detail appropriate to the project and in the light of findings.

REPORT SUBMISSION

- 12.20 The specification or WSI should define the form and content of the report. The report must be submitted to and approved by the National Park Authority before the planning condition is fulfilled. There are four broad levels of publication:
- a) *evaluation and assessment report* on the findings of a programme of work for submission in support of a planning application or as part of an archaeological condition attached to a

planning permission, it should be written to address the requirements of the client and the planning authorities;

- b) *brief academic report*. A notification of the work to the archaeological community;
- c) *full academic publication* to analyse and synthesise the full implications of the fieldwork. It should be addressed to the specialist archaeological community;
- d) *popular publication* to share the results of the fieldwork with the public.

12.21 The appropriate level of publication should be set out in the specification. However, archaeological discoveries may warrant a different level of publication from that initially chosen and the final form of publication should be agreed with the National Park Authority. Three copies of the report/s should be submitted within six months of the completion of fieldwork (unless otherwise agreed in writing) or, in the case of an evaluation or assessment, with the planning application.

TREATMENT OF ENVIRONMENTAL EVIDENCE, ARCHAEOLOGICAL MATERIALS AND ARCHIVING

ENVIRONMENTAL EVIDENCE

12.22 Environmental evidence is an important element of the archaeological record. During a field evaluation an accurate assessment of the preservation of environmental evidence including animal bone, shell, waterlogged and charred organic remains, and the condition of any buried soils and sediments should be made. This assessment should be sufficiently comprehensive to allow an evaluation of its potential archaeological relevance and to enable the construction of a structured sampling strategy and post-excavation programme, should further archaeological work be required. When undertaking this work advice must be sought from an appropriate environmental consultant or from the English Heritage Regional Science Advisor. The appropriate specialists should be available or on-site to advise on environmental issues. If a mitigation strategy is to be developed the feasibility of long-term preservation upon the environmental content of the site must be considered.

TREATMENT OF ARCHAEOLOGICAL MATERIALS

12.23 Exmoor National Park Authority requires a minimum standard for the handling of artefactual material retrieved from archaeological interventions. All staff, including all sub-contracted specialists involved with a project, must be made aware of the latest guidance from the Archaeological Archives Forum, English Heritage, Institute for Archaeologists, and Society of Museum Archaeologists, and should follow current best practice. It is imperative that the implications of these documents are noted at the tendering stage, because they may have both practical and financial implications. In particular the advice of museum conservation staff will be of value when handling sensitive materials.

ARCHIVING SYSTEM

12.24 Archaeological material is normally deposited in the receiving museum for the area which has expertise and resources to provide adequately for the long-term conservation and reference of the material. The contractor should contact the museum before the commencement of fieldwork to meet the requirements for the long term storage of the subsequent archive. In exceptional circumstances if agreed that this is not to be the case the National Park Authority and the receiving Museum will require that these standards of care and access will be met with the alternative arrangement.

ADDITIONAL CONSIDERATIONS

PUBLICITY

12.25 Exmoor National Park Authority encourages a positive approach to involving the local community and other interested parties in archaeological projects. Where possible active participation in the form of open days or school visits should be considered. In cases where projects produce locally interesting information a press release may be appropriate. Contracting or consultant units should obtain permission from the site owners prior to involving the public or media. Where appropriate, further publication of 'summary' reports should be considered for a wider public audience in the form of leaflets or booklets.

LEGAL AND ETHICAL CONSIDERATIONS

12.26 Legal and ethical factors must be considered when undertaking archaeological fieldwork. These relate particularly (but not exclusively) to human remains and treasure (Treasure Act 1996 and associated Code of Practice).

- a) All unexpected human remains encountered must be left *in situ* and suitably protected from deterioration. All finds of human remains should be reported to the Police and the Coroner's Office. If removal is necessary and unavoidable it must be carried out in compliance with the statutory provisions of the Burial Act 1857 and subsequent legislation and after obtaining a licence for exhumation from the Home Office. The excavator must comply with the conditions of the licence as well as other Home Office and environmental health regulations. All reasonable requests as to the method of removal, re-interment or disposal of the remains and/or associated items should be complied with. The simplest way to safeguard remains that are not to be excavated is by sensitive back-filling as soon as possible.
- b) Finds of treasure (as defined) must be archaeologically recorded and removed to a safe place and reported to the local Coroner within 28 days in accordance with the procedures of the Treasure Act 1996 and Code of Practice. If removal of such finds is not possible on the same day then adequate security arrangements must be made.
- c) Archaeological contractors will be expected to act in accordance with the wishes of the site owner/agent and local residents. They should follow access and office procedures on development sites as well as behaving appropriately as far as noise and other factors are concerned.
- d) Adherence to the Museum Association's Code of Ethics is expected in relation to the management of the archive and associated information.
- e) Finds from the foreshore (regardless of age and importance) are subject to the requirements of the Merchant Shipping Act 1995.

NOTIFICATION

12.27 In order for effective monitoring of archaeological projects, Exmoor National Park Authority and the intended recipient of the archive should be notified prior to the commencement of work to a timescale agreed within the WSI. The letter should contain basic information including:

- a) site name and address;
- b) planning application number (if relevant);
- c) start date of work;
- d) name of project officer;
- e) specialists being used.

The National Park Authority should be notified in writing, and agreement sought prior to any changes.

HEALTH AND SAFETY

12.28 The health and safety of all those involved in every archaeological project is paramount. Archaeologists are expected to operate in accordance with current health and safety legislation and industry regulations. At all times health and safety must take priority over archaeological matters.

INSURANCE

12.29 The IfA Code of Conduct stipulates that a member shall ensure that adequate insurance cover is maintained for persons or property which may be affected by his or her archaeological activities. It is also possible for developers to insure against the consequences of an unexpected discovery, for example a find requiring expensive conservation, provided sufficient evaluation has been previously undertaken.

SOURCES OF INFORMATION

DCLG (March 2012), *National Planning Policy Framework*, The Stationery Office, London

Brown, D.H., (2007) *Archaeological Archives - a guide to best practice in creation, compilation, transfer and curation*, Institute for Archaeologists on behalf of the Archaeological Archives Forum

Watkinson D and Neal V (2001) *First Aid for Finds*, RESCUE/United Kingdom Institute of Conservators

Current guidance documents available from:

English Heritage

Institute for Archaeologists

Archaeological Archives Forum

Society of Museum Archaeologists

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The original version of this document was derived from Somerset County Council's *Archaeological Manual*

Table 12.1

THE HISTORIC ENVIRONMENT AND THE PLANNING PROCESS

