# Chester Urban Archaeological Plan

Version 3.0

## Project Log:

<table>
<thead>
<tr>
<th>Checked By</th>
<th>Team</th>
<th>Date Checked</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Authors</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ruth Beckley</td>
<td>CAPAS</td>
<td>30/10/2013 (V3)</td>
</tr>
<tr>
<td>Dana Campbell</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| **Reviewed by**         |                 |               |
| Rob Edwards             | CAPAS           | 15/10/2013 (V2) |
| Jill Collens            |                 |               |
| Mark Leah               |                 |               |
| Ian Marshall            |                 |               |
| Julie Edwards           | HET             | 04/10/2013 (V1) |
| Mike Morris             |                 |               |
| Simon Ward              |                 |               |
| Charlotte Aspinall      | Spatial Planning| 18/10/2013 (V2) |
| Nick Smith              | Development Management | 23/10/2013 (V2) |

| Roger Thomas            | English Heritage| 04/10/2013 (V1) |
| Peter Carrington        | Consultants     | 04/10/2013 (V1) |
Chester Urban Archaeological Plan

Preface

The Chester Urban Archaeological Plan was completed in October 2013. Following a consultation period, it will be submitted to the Cheshire West and Chester Local Development Framework Panel for endorsement as part of the evidence base for the emerging Cheshire West and Chester Local Plan. Its purpose is to inform and guide development and is intended to inform a future Supplementary Planning Document for the Historic Environment.

The Archaeological Plan will be used as a key evidence base for the preparation for the Local Plan (Part Two), Land Allocations and Detailed Policies, by informing the policy context and enabling a greater understanding of the archaeological resource. It will be used by Development Management when considering the archaeological implications of development proposals or applications within Chester.

This Document has been prepared for Consultation by the Cheshire Archaeology Planning Advisory Service at Cheshire West and Chester. The consultation portal can be found at:

http://consult.cheshirewestandchester.gov.uk/portal

Further information on the archaeological resource of Chester are available on the Cheshire Archaeology Planning Advisory Website:

Chester Archaeological Character Zones
http://www.cheshirearchaeology.org.uk/?page_id=156

Chester Urban Archaeological Plan
http://www.cheshirearchaeology.org.uk/?page_id=165

Alternatively the supporting spatial mapping can be found at:
http://maps.cheshire.gov.uk/CWAC/interactivemapping/
# Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acronyms</td>
<td>3</td>
</tr>
<tr>
<td>1 Introduction</td>
<td>4</td>
</tr>
<tr>
<td>The Chester Urban Archaeological Plan</td>
<td>4</td>
</tr>
<tr>
<td>The National, Regional and Local Context</td>
<td>5</td>
</tr>
<tr>
<td>2 Evidence Base</td>
<td>7</td>
</tr>
<tr>
<td>Chester’s Archaeological Resource</td>
<td>7</td>
</tr>
<tr>
<td>Prehistory</td>
<td>7</td>
</tr>
<tr>
<td>The Roman Period</td>
<td>7</td>
</tr>
<tr>
<td>The Saxon Period</td>
<td>8</td>
</tr>
<tr>
<td>The Medieval Period</td>
<td>8</td>
</tr>
<tr>
<td>The Post Medieval and Industrial Period</td>
<td>8</td>
</tr>
<tr>
<td>Chester’s Urban Archaeological Database</td>
<td>9</td>
</tr>
<tr>
<td>Characterisation of Historic Chester’s Built Environment</td>
<td>9</td>
</tr>
<tr>
<td>An Introduction to Chester’s Archaeological Character Zones</td>
<td>10</td>
</tr>
<tr>
<td>3 Guidance for the Historic Environment in Chester</td>
<td>12</td>
</tr>
<tr>
<td>Introduction</td>
<td>12</td>
</tr>
<tr>
<td>Guidance Note 1: Guidance for the Submission of Development Proposals with Implications for Archaeology</td>
<td>12</td>
</tr>
<tr>
<td>Guidance Note 2: Guidance on Development Proposals in Primary Archaeological Character Zones</td>
<td>13</td>
</tr>
<tr>
<td>Guidance Note 3: Guidance on Development Proposals in Secondary Archaeological Character Zones</td>
<td>16</td>
</tr>
<tr>
<td>Guidance Note 4: Guidance for the Consideration of Archaeological Issues as Part of the Planning Process</td>
<td>16</td>
</tr>
<tr>
<td>Guidance Note 5: Professional Standards in Archaeology</td>
<td>23</td>
</tr>
<tr>
<td>Guidance Note 6: Built Heritage Assets</td>
<td>24</td>
</tr>
<tr>
<td>Special Considerations</td>
<td>24</td>
</tr>
<tr>
<td>Area of Archaeological Importance (AAI)</td>
<td>24</td>
</tr>
<tr>
<td>General Permitted Development</td>
<td>24</td>
</tr>
<tr>
<td>Ecclesiastical Exemption</td>
<td>25</td>
</tr>
<tr>
<td>Scheduled Monument Consent</td>
<td>25</td>
</tr>
<tr>
<td>Conservation Areas</td>
<td>26</td>
</tr>
<tr>
<td>Listed Building Consent</td>
<td>26</td>
</tr>
<tr>
<td>Research Investigation</td>
<td>26</td>
</tr>
<tr>
<td>4 Asset Management</td>
<td>27</td>
</tr>
<tr>
<td>Introduction</td>
<td>27</td>
</tr>
<tr>
<td>The Maintenance of Heritage Assets</td>
<td>27</td>
</tr>
<tr>
<td>Buildings and Structures</td>
<td>27</td>
</tr>
<tr>
<td>Buried Remains and Archaeology</td>
<td>28</td>
</tr>
<tr>
<td>Above Ground Archaeological Remains</td>
<td>28</td>
</tr>
<tr>
<td>Historic Landscapes in an Urban Environment</td>
<td>28</td>
</tr>
<tr>
<td>Heritage Crime</td>
<td>29</td>
</tr>
<tr>
<td>Conservation Management Plans</td>
<td>29</td>
</tr>
<tr>
<td>Classes of Heritage Assets Benefitting from Management Schemes</td>
<td>30</td>
</tr>
<tr>
<td>Heritage Assets in Chester which may Benefit from a Conservation Management Plan</td>
<td>30</td>
</tr>
<tr>
<td>The Disposal of Heritage Assets</td>
<td>30</td>
</tr>
<tr>
<td>The Disposal of Heritage Assets by Private Individuals</td>
<td>31</td>
</tr>
<tr>
<td>The Disposal of Heritage Assets by Governmental Bodies</td>
<td>31</td>
</tr>
</tbody>
</table>
Chester Urban Archaeological Plan

Terms Used ........................................................................................................................................... 33
Appendix 1: National Legislation and Policies ...................................................................................... 35
Legislation Protecting Designated Heritage Assets ........................................................................... 35
  Civic Amenities Act (1967) ............................................................................................................ 35
  The Ancient Monuments and Archaeological Areas Act (1979) ................................................... 35
  National Heritage Act (1983) ........................................................................................................ 35
  Planning (Listed Buildings and Conservation Areas) Act (1990) ................................................... 35
  Town and Country Planning (General Permitted Development) Order 1995 (as amended) ...... 35
The Planning Framework .................................................................................................................. 36
  Local Development Framework (2013) .......................................................................................... 36
Additional Considerations and Guidance .......................................................................................... 37
  Localism Act and Neighbourhood Plans (2011) ........................................................................... 37
  National Heritage Protection Plan (2013) ..................................................................................... 37
Appendix 2: Further Advice for Heritage Asset Management .............................................................. 38
Appendix 3: Contact Information ......................................................................................................... 39
  Cheshire West and Chester ............................................................................................................... 39
    Planning and Development Control ............................................................................................. 39
    Planning Archaeologist ............................................................................................................... 39
    The Historic Environment Records Office ............................................................................... 39
    Conservation and Design Team .................................................................................................... 39
  Statutory Consultee .......................................................................................................................... 39
    English Heritage (Planning) ........................................................................................................... 39
Finding Specialist Contractors ......................................................................................................... 40
  Professional Standards .................................................................................................................... 40
Useful links ....................................................................................................................................... 40
### Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAI</td>
<td>Area of Archaeological Importance</td>
</tr>
<tr>
<td>ACZ</td>
<td>Archaeological Character Zone</td>
</tr>
<tr>
<td>ALGAO</td>
<td>Association of Local Government Archaeological Officers</td>
</tr>
<tr>
<td>AMP</td>
<td>Asset Management Plan</td>
</tr>
<tr>
<td>CAPAS</td>
<td>Cheshire Archaeology Planning Advisory Service</td>
</tr>
<tr>
<td>CMP</td>
<td>Conservation Management Plan</td>
</tr>
<tr>
<td>CUAP</td>
<td>Chester Urban Archaeological Plan. Hereafter referred to as the Plan.</td>
</tr>
<tr>
<td>CWaC</td>
<td>Cheshire West and Chester Council, also referred to as the local authority.</td>
</tr>
<tr>
<td>DBA</td>
<td>Desk-based Assessment. Assessment produced by archaeological consultant that examines the impact on and significance of heritage assets.</td>
</tr>
<tr>
<td>EIA</td>
<td>Environmental Impact Assessment. Synthetic assessment produced by the developer that examines all aspects of the environmental consequences of a project.</td>
</tr>
<tr>
<td>EUS</td>
<td>Extensive Urban Survey</td>
</tr>
<tr>
<td>GIS</td>
<td>Geographic Information System</td>
</tr>
<tr>
<td>HER</td>
<td>Historic Environment Record</td>
</tr>
<tr>
<td>HPA</td>
<td>Heritage Partnership Agreement</td>
</tr>
<tr>
<td>IfA</td>
<td>Institute for Archaeologists</td>
</tr>
<tr>
<td>IUS</td>
<td>Intensive Urban Survey</td>
</tr>
<tr>
<td>LDF</td>
<td>Local Development Framework. Produced by Cheshire West and Chester incorporating the Local Plan and its Supporting Planning Documents.</td>
</tr>
<tr>
<td>LDS</td>
<td>Local Development Scheme (Outlines the planning policies and strategic development for the local authority).</td>
</tr>
<tr>
<td>NPPF</td>
<td>National Planning Policy Framework. Produced by the Department for Communities and Local Government</td>
</tr>
<tr>
<td>NHPP</td>
<td>National Heritage Protection Plan. Produced by English Heritage.</td>
</tr>
<tr>
<td>SPD</td>
<td>Supplementary Planning Document. Produced by Cheshire Archaeology Planning Advisory Service (The Plan will form part of the Supplementary Planning Document for the historic environment in the local authority).</td>
</tr>
<tr>
<td>UAD</td>
<td>Urban Archaeological Database. This is part of the Historic Environment Record and held by Cheshire Archaeology Planning Advisory Service.</td>
</tr>
<tr>
<td>WSI</td>
<td>Written Scheme of Investigation</td>
</tr>
</tbody>
</table>
1. **Introduction**

The Chester Urban Archaeological Plan is a key evidence base document for the Cheshire West and Chester Local Plan and will be used as a material planning consideration for development planning purposes. It is aimed at all those involved in master planning and the preparation of development proposals, as well as those responsible for development management. It also provides guidance for the wider community to enable planned change that is in harmony with the city’s historic identity.

2. The Plan encourages the enhancement and protection of the historic environment in a way that complements and supports sustainable, planned development. It provides clear, consistent, reasonable, informed and proportionate advice and guidance for the management of Chester’s archaeological resource. The archaeological resource, consisting of both above- and below-ground archaeological remains, forms part of the historic environment together with historic landscapes and the built environment. An appropriate consideration of the historic environment is in keeping with the principles of positive, sustainable development, and will result in substantial benefits to the cultural and economic future of the community.

3. Chester is one of England’s major historic centres with a rich archaeological and historical heritage that is a source of pride among its residents. Chester’s legionary fortress was among the most important Roman military and administrative centres in the north; it included structures such as the Elliptical Building, which has no known parallels in the world. The City Walls embody nearly the complete history of the city, from Roman defences, Saxon burh, fortified medieval town, Civil War defences, to modern promenade attracting thousands of tourists every year. The Amphitheatre, the Castle, the ruins of the Church of St John the Baptist, in addition to the Walls, are all scheduled monuments, afforded the highest level of protection that the law allows in recognition of their national significance.

4. Equally important are the deeply stratified archaeological deposits, up to 3m in depth in some places, which survive beneath the buildings, spaces and streets in the modern city centre. These deposits preserve a unique and irreplaceable record of human occupation for the last 2,000 years encapsulating a full sequence of evidence from earliest times through to recent years. Chester’s archaeology can therefore be seen as a single large, complex and vulnerable heritage asset that requires careful long term stewardship. Chester’s significance is reflected its statutory designation as an Area of Archaeological Importance (AAI), one of only five in England. It also contains 12 conservation areas and 740 other designated heritage assets.

5. Chester’s heritage professionals, planners and developers benefit from a detailed evidence base for managing change in the historic environment. The Chester Urban Archaeological Database (UAD) consolidates the available archaeological and historical resource relating to the city, and includes a series of Archaeological Character Zones as well as a research framework highlighting priorities for future archaeological work in the city.

6. This Document offers guidance that encourages sustainable, planned development. It outlines the approach of the local authority to determining applications that might affect heritage assets and how proportionate archaeological responses to development proposals are supported by national and local government planning policy. After outlining the significance of the archaeological resource in Chester, the Document provides guidance for developers and applicants on the role of archaeology in planning and development management, and provides advice for the owners of heritage assets on their management, maintenance and disposal.
The National, Regional and Local Context

7. Designated heritage assets are protected by a number of principal acts, namely the Ancient Monuments and Archaeological Areas Act (1979), the National Heritage Act (1983) and the Planning (Listed Buildings and Conservation Areas) Act (1990), recently amended by the Enterprise and Regulatory Reform Act (2013). In addition, the National Planning Policy Framework (NPPF) was introduced in 2012 to manage sustainable development within the planning system, and includes a positive strategy for the enhancement, conservation and management of both designated and non-designated heritage assets.

8. At present, the Local Plan (Part One) outlines the higher level policies relating to the historic environment under ENV5 and to the growth agenda for Chester under STRAT 3 (see Appendix 1: National Legislation and Policies for further details). The function of ENV5 is to ensure that new development is of a sustainable and high quality design that respects heritage assets, local distinctiveness and the character and appearance of the landscape and townscape. The Local Plan also presently includes a number of saved policies set out in the 2006 Chester City Council Local Plan, these will, however, be replaced in Part Two of the Local Plan (Development Management Policies).

9. The One City Plan, adopted by Cheshire West and Chester Council in 2012, sets out a 15 year Regeneration Framework for Chester and a series of strategic objectives that also form part of the draft Local Plan, it too forms an evidence base for the emerging Local Plan.

Figure 1: The Complexities of Urban Archaeology in Chester: the designated Salmon Leap Flats in the foreground, the scheduled City Walls, the 18th century riverside promenade and the designated historic buildings in the background. These features promote cultural and social importance and contribute to a strong sense of place and identity (Cheshire HER).
Figure 2: The Relationship of the Chester Urban Archaeological Plan to Heritage Policy

National Policy & Law
- National Planning Policy Framework
- Statutes & Law

Regional/Local Policy
- 2013 Local Plan
- 2006 Chester Saved Policies (interim)
- Neighbourhood Plans
- One City Masterplan

Interpretative Evidence
- Urban Archaeological Characterisation
- Research Frameworks
- Chester City and Approaches Built Characterisation

Evidence Base
- Historic Environment Record
- Designated Heritage Assets
- Undesignated Heritage Assets

Chester Urban Archaeological Plan

Planning and Development Control

Greater Accessibility

Interactive Mapping

Online Resources on Planning website

Online Resources on Cheshire Archaeology Micro-site

Sustainable development promoting heritage assets
Value-added development proposals
Enhanced heritage assets and understanding of their significance
Effective planning system, quicker, more timely
Inform policy on the historic environment

Figure 2: The Relationship of the Chester Urban Archaeological Plan to Heritage Policy
2 Evidence Base

Chester's Archaeological Resource

10. Chester has a rich archaeological history; from a small agricultural settlement with scattered evidence of activity surrounding it in prehistory, to the establishment of one of the largest Roman fortress in Britain. The town was established by the late Saxon period and grew into a major port and commercial centre by the 13th century. Although its commercial importance waned during the later medieval period, it remained a regionally significant centre well into the 17th century and continues to be an important cultural, commercial and social centre today. Evidence of all these periods and the significant events that took place here can be seen in the surviving heritage assets and the archaeological and historical record that documents Chester's past.

Prehistory

11. For most of prehistory (including the Palaeolithic, Mesolithic, Neolithic Periods and Bronze Ages), occupation in Chester is represented by isolated objects, found by chance during ground disturbances. A handful of Mesolithic (8000 – 4000 BC) and Neolithic (4000 – 3500 BC) objects including ground stone axes and chipped stone flakes, blades and microliths have been found throughout the city centre, and at Bache Pool to the north, and near the Wrexham Road business park to the south. A smaller number of Bronze Age (3500 – 700 BC) finds have also been found, including bronze axes (called palstaves) and a mace-head.

12. By the Iron Age (700 – 42 BC), however, permanent settlement was established: buildings, fence lines and evidence of intensive farming have been found below the amphitheatre, in Abbey Green and along Frodsham Street, and pottery and other finds dating to before the arrival of the Romans have been discovered throughout the city centre.

The Roman Period

13. The fortress of Deva was established around 74 AD, and together with York, was one of the two most important centres for the Roman military in the north of Britain. First built largely of timber, it is also one of the few to have been rebuilt entirely in stone. Many of its buildings are preserved below ground, and some of its principal features remain visible within the modern city; the foundation levels along the north and eastern walls are part of the original fortress defences, and the roads passing through the city gates follow the same routes used by the soldiers. It underwent various phases of modification to its defences, and may have experienced periods of abandonment; however, there remain significant gaps in our knowledge of its layout and form. Particular features, such as the Elliptical Building (beneath the Forum shopping centre) are unique in the Roman Empire and are of international archaeological significance.
14. Archaeological works, particularly those led by development, continue to reveal previously unknown details about Chester at this time. The civilian settlement for non-military personnel, which grew up along Foregate Street, the character of the Roman harbour below the Roodee, and the extent of the cemeteries that surrounded the community are examples of important Roman features that continue to be better understood with each new project. Recent work at the site of the HQ building at Nicholas Street revealed a formerly unknown part of the civilian settlement, with substantial remains of industrial and residential activity. Increasing evidence of the rural-urban fringe is also being identified on sites to the north of the fortress at Tower Wharf and the Northgate Arena, highlighting the importance of adequate archaeological investigation. Further afield, two Roman farmsteads at Lache were also identified in the early 20th century.

The Saxon Period

15. Although the early Saxon period is commonly difficult to trace in the archaeological record, there is evidence that an agricultural community was living in the ruins of the fortress by the 7th century. It is thought that St John’s was also founded at this time and the remains suggest that Saxon settlement was also concentrated in this area. Historical documents demonstrate that a mint was established in the 9th century, perhaps in the area of the Castle.

16. The *burh* was founded in AD 907 by Aethelflaeda of Mercia in response to a growing threat from Hiberno-Norse settlements on the Wirral, and a programme of repairing the Roman defences and extending them to the west and south (towards the river) was begun. The earliest documents describing the construction of a bridge crossing the River Dee also date to this time. Archaeological evidence of permanent, intensive settlement in Chester appears to date to the 10th century, with buildings scattered throughout the former fortress and along Lower Bridge Street, particularly around St Olave’s Church where a possible Scandinavian settlement may have been established, and the foundation of a Saxon minster dedicated to St Werburgh at the site of the modern day cathedral.

The Medieval Period

17. The medieval period traditionally begins with the Norman Conquest in 1066. The medieval city of Chester was the largest and most prosperous in the northwest and long remained the region’s principal port. It developed a diverse economy, with trade, silver-smithing and leatherworking among its most important industries. The town was re-fortified by the Normans who introduced a new castle in the southwest corner in the late 11th century, re-founded the Saxon minster as a Benedictine abbey in 1092 and extended and rebuilt the city walls in the mid-12th century. A number of monasteries and friaries were built to the west of the former Roman fortress, protected by the extension to the re-fortified City Walls. Perhaps one of the most iconic aspects of the medieval city, however, was the development of the Chester Rows, an unusual arrangement of two levels of commercial properties with domestic housing above, from the 13th century onwards.

The Post Medieval and Industrial Periods

18. Traditionally the post medieval begins with the Dissolution of the Monasteries around 1539, marking a gradual shift away from a life influenced by Catholic culture and belief. The monasteries and friaries that had been established along the west side of what is now St Martin’s Way were forcibly disbanded and their lands and wealth confiscated by the king. St Werburgh’s Abbey was initially disbanded but later became a cathedral under the new institution of the Church of England in 1541 while the formerly important collegiate church of St John the Baptist was reduced to a parish church in the same year.
19. The later post medieval period also saw the rise of industrial processes with technological advances paving the way for the 19th century industrial revolution. A greater degree of trade and exchange on an international level, coupled with the opening up of trade routes to the New World and Africa also affected society and economy as the period progressed. Settlement also saw gradual changes with new building designs, while expansion in the suburbs and small rural settlements also occurred. The Civil War and Interregnum in the late 17th century heralded new ideas of governance. Chester, a Royalist stronghold, was the location of a siege by the Parliamentarians in 1645 resulting in the construction of significant defensive and artillery earthworks surrounding the city as well as the systematic razing of the suburbs in advance of the Parliamentarian army. Although archaeological investigations in the suburban settlement around Chester have on occasion recorded evidence of the defences, discoveries of this nature are rare.

20. With the Industrial period (from around 1800 onwards), the city was on the threshold of further major changes; the Shropshire Union Canal opened in 1799 with the railways following in the mid 19th century. Improvements in transport and technology ultimately led to the rapid expansion of industrial and utility companies along with large areas of Victorian and Edwardian suburban development. The 19th century also saw an increase in dense, overcrowded courts in the historic core; notorious for poor living conditions, they were largely demolished during in the 20th century with few surviving examples.

Chester’s Urban Archaeological Database

21. The Chester UAD Project was funded by English Heritage as part of a national programme of intensive urban surveys. It has three parts:

- The UAD, which collected and synthesised all available information on the historical and archaeological resource of the city, from excavation reports, research projects, building surveys, historic documents, published articles and maps spanning more than 200 years of archaeological research in Chester (Figure 2). More than simply an enhancement of the HER, the results of this extensive research represents the main evidence base for the following stages.

- The Archaeological Characterisation, where period-based maps were synthesised into zones defined by the predominant archaeological character, together with the Research Framework, to inform future work in the city.

- The Chester Archaeological Plan, to inform the management of the archaeological resource.

Characterisation of Historic Chester’s Built Environment

22. In 2011, a characterisation study of the built environment of Chester’s conservation areas was completed. It forms part of the evidence base for the emerging Local Plan. Through extensive fieldwork and data collection, the study assessed the character of the buildings, structures and spaces within Chester’s main conservation areas. The characterisation of the built environment consists of 16 General Areas, with 113 Sub-areas, and considers the number and quality of the

---

1 Taylor Young, 2011. Characterisation Study of Chester City Centre and Approaches (in two volumes).
historic buildings present and whether the overall character of each area (derived largely from its heritage) is considered in a positive light by the community. In many cases, the boundaries of the built character assessment correspond to those of the archaeological characterisation, largely due to the legacy that elements such as the City Walls or the Roman road network within the fortress, still have today.

23. Where the boundaries between these two studies differ, it is because the Archaeological Zones extend beyond the limits of the conservation areas, or because the extents of individual Zones have been defined by the predominant below-ground archaeology. As Chester benefits from a number of standing buildings (the Cathedral, the Castle and the City Walls) that represent a significant archaeological resource, the built environment and archaeological characterisation studies complement each other. The built characterisation should be viewed alongside the archaeological character, providing advice and guidance to inspire innovative design proposals that work with an area’s identity.

An Introduction to Chester’s Archaeological Character Zones

24. Archaeological Character Zones were compiled consolidating period-based characterisation of Chester from prehistory to the Industrial Period in terms of the predominant and significant archaeological remains. A summary statement of each Zone highlights its historical value and archaeological potential as well as key considerations for any potential future development. These statements are aimed at planners, developers, consultants and the wider community and provide an introduction to the extent and nature of the heritage assets in that area. They enable an informed consideration of the impact that design and construction techniques might have on the underlying archaeology.

25. The Archaeological Character Zones are used as the spatial base for the Plan, and help define the significance of heritage assets (Figure 6). The level of significance for each Zone should be used by developers to enhance and guide their proposed changes with respect to the heritage assets and their setting. It also reflects the level of response that the Planning Archaeologist may have to development proposals in that area. The significance of each Zone is broadly assessed according to the following criteria:

<table>
<thead>
<tr>
<th>Significance</th>
<th>Key Concepts</th>
</tr>
</thead>
</table>
| Internationally or Nationally Significant Zones | Contain scheduled monuments, and/or designations, within the AAI
Have recorded, or the potential for, heritage assets that are rare or unique
Contain heritage assets that have a significant group value at a wider level or are part of an unusual character class
Have national significance for social/community/artistic or architectural reasons
Contain significant elements of well preserved historic character |
| Regionally Significant Zones | Contain designated heritage assets, within the AAI or Conservation Areas
Have recorded, or the potential for, heritage assets that are unusual or uncommon
Represent regional differences in form and function
Have regional significance for social/community/artistic or architectural reasons
Are representative or a defining characteristic of a period |
| Locally Significant Zones | Have recorded, or the potential for, heritage assets of local significance
Contain locally listed heritage assets or within Conservation Areas
Have local significance for social/community/artistic or architectural reasons |

Table 1: Criteria for Assessing Significance in the Archaeological Character Zones
Figure 6: Chester's Archaeological Character Zones, showing their Significance Level
3  **Guidance for the Historic Environment in Chester**

**Introduction**

26. The following section is a series of guidance notes for managing archaeological issues as part of the planning process and is structured around the steps involved in the development management process (Figure 8):

- Guidance Note 1: Guidance for the Submission of Development Proposals with Implications for Archaeology,
- Guidance Note 2: Guidance on Development Proposals in Primary Archaeological Character Zones – areas where there are greater implications for designated heritage assets and a higher potential for deeply stratified archaeological remains,
- Guidance Note 3: Guidance on Development Proposals in Secondary Archaeological Character Zones – areas where the greater weight is on poorly understood archaeological remains,
- Guidance Note 4: Guidance for the Consideration of Archaeological Issues as Part of the Planning Process - outlines the main steps involved in proposals with archaeological implications in the planning process from the pre-determination stage through to post excavation and archive deposition, as well as advice on unexpected discoveries made during development,
- Guidance Note 5: Professional Standards in Archaeology,
- Guidance Note 6: Built Heritage Assets,
- Special Considerations: Outlines a series of Special Considerations applicants should be aware of when planning development in Chester.

**Guidance Note 1: Guidance for the Submission of Development Proposals with Implications for Archaeology**

27. Sustainable development requires that the significance of heritage assets is protected and enhanced. An assessment of the significance of a heritage asset is required by planning officers to determine the outcome of any development proposal. Significance is determined by a careful and considered evaluation of the rarity, preservation or completeness of a heritage asset and its potential to inform perspectives on the history of a place. Although the greatest weight is attached to designated assets of the highest significance the potential impact on non-designated assets is also a material consideration. Not all heritage assets have the same sensitivities to planned change, however, and some may be more capable of accommodating development than others. Developers who consider the heritage implications of their proposal at an early stage will be in a better position to achieve sustainable development, streamline the planning process and save time and money.

---


28. The NPPF outlines the importance of good design in development proposals, particularly in town centres with a high significance from a historical or visual perspective. There are many ways to achieve a good design for proposals incorporating heritage assets, from the initial concept stage to construction techniques. The appropriate archaeological mitigation will ensure that heritage assets are conserved or recorded, while enabling positive and sustainable development. Developers should be aware of the benefits of conserving heritage assets as part of a development, including aesthetic, social, economic and environmental rewards. The National Heritage Protection Plan (NHPP), produced by English Heritage, describes ‘Foresight’ as the first measure for managing sustainable development: by characterising the significance of heritage assets at the earliest opportunity, positive, planned change, while enhancing and preserving the historic environment is made possible. The historic environment policy in the Local Plan (ENV5) encourages the protection and identification of heritage assets and their significance through appropriate and complementary development (see Appendix 1: National Legislation and Policies for complete text on ENV5).

29. The expectation is that substantial development proposals will have taken into account:

- the positive benefits of reuse of existing heritage assets taking into account the importance attached to their contribution to a sense of place and city character,
- the importance of existing heritage assets at a local level, they represent established focal points and may be seen as integral to the identity of the local community,
- diversity or uniformity of style within and around their development proposal and how their design may complement the existing character of the place,
- the topography and open spaces, and how associative landscapes may contribute to a sense of place, and
- the urban grain of an area, considering both current and historic activity.

30. Planning applications for small-scale works, such as home extensions or renovations, may also need to take these factors into account. Early consultation can provide the applicant with the best information to proceed with their application and establish the appropriate archaeological mitigation. Mitigation will be a scale proportionate to the development and the significance of the archaeological resource. Archaeological mitigation will be required on small-scale works that impact on the historic environment including above- and below-ground archaeological remains, historic landscapes and the historic built environment.

31. NPPF recognises that deliberate neglect of heritage assets devalues their significance. Where this is proved the case, the local authority should not take into account the deteriorated state of the heritage asset when making a decision.

Guidance Note 2: Guidance on Development Proposals in Primary Archaeological Character Zones

32. Primary Zones encompasses those Archaeological Character Zones that generally contain the greatest density and complexity of archaeological deposits (Figure 9). The Primary zones include, but are not limited to, the extent of the AAI in Chester and there are significant heritage assets identified that extend along Eaton Road, Foregate Street, Tower Wharf and the Roodee (see Special Considerations for more information on the AAI).

---

Phase 4a: Early Consultation

Consultation with Council: Notification of works/pre-application/receipt of formal planning application

No Archaeological Implications identified by the Planning Archaeologist

Planning Archaeologist identifies potential archaeological implications

No further archaeological work required

DBA/Evaluation requested

Application submitted to Planning Authority for assessment

No Archaeological Significance identified

Archaeological Significance identified

Mitigation Strategy required

Preservation in situ recommended

Investigation and recording recommended

Application submitted to Council

Determination of Application: Recommendation for permission/permission with condition/refusal

Phase 4b: Pre-Determination

No further archaeological work required

Alteration to the proposals carried out to accommodate preservation

Archaeological investigation carried out on site (see Figure 15)

Phase 4c: Mitigation during/prior to development

Phase 4d: Post Excavation

Post Excavation Analysis and production of final report. Deposition of Report with HER and deposition of the archive with appropriate museum.

Discharge of Archaeological Condition on planning permission

Figure 8: The Role of Archaeology in the Planning Process
33. When assessing significance the NPPF asserts that the greatest weight is attached to heritage assets which are considered to be of the highest archaeological significance, including scheduled monuments, grade I and II* listed buildings and grade I and II* registered parks and gardens. They are afforded the highest level of protection that law and policy allow. Most of Chester’s internationally, nationally and regionally significant heritage assets are found within the city’s historic core reflected in the high density of designated assets.

34. The Primary Archaeological Character Zones cover substantial areas of international, national or regional significance in Chester (Figure 6). These Zones contain heritage assets whose significance is determined by their rarity, their degree of preservation, the manner in which they represent historically important events or represent regional architecture, industry or institutions. In these Zones there is a high potential for further archaeological discoveries of high significance. It should be noted that there will be variation within these Zones at a site specific level and certain discoveries, such as human remains, made during the course of archaeological investigations may require specific procedures to be followed.

35. The Local Plan (Part One) recognises the national and international significance of the historic city of Chester and its setting. It states that proposals should enhance and preserve the area and its setting, and those developments that are likely to have significant adverse impacts on heritage assets of international, national and regional significance and their settings will not be permitted unless the impact can be avoided and the archaeological remains are preserved in situ.

36. A successful assessment of the full archaeological impact of a development proposal in these Zones should include a consideration of the significance of the known heritage assets and detail the impact that the proposed development will have. This will allow the formulation of an appropriate mitigation strategy, which takes into account the need to enhance the heritage assets affected by the proposal.

---

9 This is supported by saved policy ENV31 of the 2006 Chester District Local Plan (adopted). This policy is an interim statement and will be replaced.
Guidance Note 3: Guidance on Development Proposals in Secondary Archaeological Character Zones

37. Most of Chester’s internationally, nationally and regionally significant heritage assets are found within the Primary Archaeological Zones. There is potential, however, for equally significant remains to be found in the Secondary Archaeological Zones. The area outside the historic core is generally characterised by Zones of Local Significance containing locally significant heritage assets (Figure 9). Not all heritage assets are of equal significance or have the same sensitivities to planned change and some may be more capable of accommodating change than others. It should be noted that there will be variation within these Zones at a site specific level, and individual heritage assets of international, national and regional significance may lie within them.

38. The importance of locally significant heritage assets is determined by their degree of preservation, their representation of a locally significant variation in style, form or function and their communal and social value. Some heritage assets can frequently be less tangible: the NHPP identifies key themes that are currently poorly understood including early 20th century suburban development, the growth of public or social housing, designed open spaces and public, civic and communal buildings as well as the potential for pre-industrial rural activity including field systems, agricultural activity and small farmsteads.

39. Further assessment of these forms of heritage assets can greatly improve our knowledge of local significance and can in turn improve the value of development proposals through an enhanced sense of place.

40. Proposals that affect heritage assets or their setting of a local significance will only be considered where adequate provision has been made to conserve the heritage asset in situ, or where this is not feasible, by archaeological mitigation. The Planning Archaeologist will ensure that archaeological mitigation is proportionate to the development proposal.

Guidance Note 4: Guidance for the Consideration of Archaeological Issues as Part of the Planning Process

4a. Early Consultation

41. The NPPF strongly recommends early consultation between developers and the Council prior to the submission of a planning application and this policy is supported by English Heritage. Proposals requiring separate Scheduled Monument Consent are discussed below (see Special Considerations). Pre-application consultation allows the potential constraints of a site to be communicated to the applicant as early as possible, allowing for a timely determination of the

---

application and ensuring sustainable development.\textsuperscript{12} It also allows for the conservation of heritage assets proportionate to the nature and scale of the development proposal.\textsuperscript{13} Chester’s national and international importance as a historic walled city is recognised through policy STRAT 3 of the Draft Local Plan which states that any development within or on the periphery of the city centre, or within the urban area, should be compatible with the conservation and enhancement of the city and its setting.\textsuperscript{14}

42. An assessment of the significance of any heritage assets involved in the proposal contributes to the submission of successful planning applications. Applicants will need to consider all the impacts of the proposals on the archaeological resource, including not only building foundations, but also impacts associated with highway and access works, drainage, attenuation tanks and other service trenches, landscaping (including tree planting) and construction infrastructure.

43. Pre-application discussions on development proposals within and outside the Primary Archaeological Character Zones will require the involvement of the Planning Archaeologist to ensure that the significance of heritage assets is properly considered (Figure 6). Discussions on proposals within the Secondary Archaeological Character Zones may similarly require the involvement of the Planning Archaeologist.

44. Delays may arise or an application may be deferred, where the significance of heritage assets has not been considered at the pre-application consultation stage. The early identification of these issues is beneficial to the applicant as they can greatly enhance the suitability of the proposal, reduce overall costs and contribute to a timely determination of the application.

4b. Pre-Determination

45. Applicants may be required to provide further information on the character, significance and extent of above- and below-ground archaeological remains and the potential impact of the proposals on those remains in order to inform the determination of the application. Two common types of work are recommended at this stage, often in sequence, and are detailed below. This work would usually be undertaken prior to the determination of any application (Figure 12).

- Desk-based Assessment

46. The applicant commissions a qualified consultant or archaeological contractor to produce an assessment that collates the existing archaeological evidence for the application area and its setting. This document assesses the potential significance of any heritage assets and the impact of the proposed development on those assets. This process will require consultation with the Cheshire HER, which contains the Chester UAD. In some instances, the Planning Archaeologist may direct the applicant to progress directly to Evaluation.


\textsuperscript{14} Cheshire West and Chester. 2013. \textit{Draft Local Plan (Part One) Strategic Policies}. STRAT 3.
Figure 12: Pre-determination and Archaeological Investigation

1. **Applicant** commissions an **Archaeological Consultant**

2. **Consultant** submits **Written Scheme of Investigation** to the **Planning Archaeologist** and the **Council**

3. **Planning Archaeologist** recommends approval of the **WSI**

4. **Desk-Based Assessment** carried out by the **Archaeological Consultant**
   - **On-site Evaluation** carried out by the **Archaeological Consultant**

5. **Draft Report** including research assessment submitted to the **Planning Archaeologist**

6. **Planning Archaeologist** approves final **Report**

7. **Archaeological Consultant** lodges final **Report** with the **Cheshire HER**

8. **Planning Archaeologist** prepares advice on **Mitigation Strategy** based on results of work
• Evaluation

47. Typically informed by the previous phase, evaluation to determine the character, significance and extent of above- and below- ground archaeological remains may be required. This can include a range of non-intrusive (e.g. geophysical survey) and intrusive techniques proportionate to the specific circumstances of the application. This may include small-scale excavation (commonly referred to as trial trenching or test pitting) as a sample of the development area. This provides detailed information on the character, significance and extent of archaeological remains and provides critical information for the development of a mitigation strategy (if required). The Planning Archaeologist may supply a brief to the archaeological consultant or contractor and agree a written scheme of investigation (WSI) for the work. Such an evaluation is effectively a sampling exercise, and is not a substitute for full-scale excavation that may be required at a later date. A properly executed evaluation need not be a time-consuming or costly process and will ultimately benefit the applicant.

48. Evaluation undertaken at the pre-determination stage provides vital information on the sustainability and the level of harm that a proposal may have to the City’s heritage assets. Furthermore, it provides the applicant with the opportunity to modify their proposals to reduce their impact and enable sustainable, and potentially more cost effective, mitigation.

• Preservation in situ

49. Based on the evidence collected in the previous work and submitted in support of the application, archaeological mitigation may be recommended. Where an assessment demonstrates that the development would cause substantial harm to heritage assets of high significance, preservation in situ will be recommended at the pre-determination stage. This can be accommodated through design modification or the use of specific construction techniques in order to minimise the impact of the development on the heritage assets.

50. Specific building solutions should be flexible to the circumstances of a particular development or setting. The Planning Archaeologist will work with the applicant to ensure that sustainable development takes place through best practice, in line with the NPPF. It should be noted, however, that the excavation of cellars is, by its nature incompatible with preservation in situ, and would not normally be considered appropriate where significant archaeology survives.

51. Sites that should be preserved in situ include non-designated heritage assets that are demonstrably equivalent to designated sites. Such remains might be found within areas that are thought to be significant only on a local level, and would include urban blocks of stratigraphy with known, well-preserved, multi-period deposits of any description, a cemetery of any period, or archaeological deposits that preserve very rare remains, such as waterlogged organic materials.

52. Best practice for preserving archaeology in situ will change over time in keeping with technological innovations, but current approaches include use of different piling solutions, the
reuse of existing foundations, and thinning or reducing foundations and floorslabs. A protective membrane and buffer layer is also frequently used where archaeological remains interface with development impacts. Further information and a series of guidance notes are produced by English Heritage.\(^\text{15}\)

### 4c Archaeological Conditions

- **Conditions to Secure Preservation In Situ**

53. Full details of any preservation *in situ* arrangements are normally secured by a condition attached to the approved application.

- **Conditions to Secure Investigation and Recording**

54. Where assessment demonstrates that the development contains assets of lower importance, or in wholly exceptional circumstances, where assets of high importance cannot be preserved *in situ*, preservation by investigation and recording will also be secured by condition. Investigation and recording mitigation strategies will involve some, or all, of the approaches detailed below (Figure 15).

55. **Excavation** and recording of archaeological deposits can range in scale from targeted excavation to a full-scale excavation strategy proportionate to the scale of the proposed development.

56. Where an **Evaluation** was not undertaken as part of the pre-determination process, an archaeological condition may be attached requiring limited evaluation with scope for further work as necessary.

57. **Detailed Survey** (typically referred to as building recording) will normally be required for any alteration to a standing designated heritage asset, while additional recording of non-designated heritage assets may also be requested prior to alteration or demolition.

58. A **Watching Brief** may be required on specific stages or areas of a development, in areas where the development has a minimal potential impact, usually covering the initial ground-works, foundations and infrastructure works.

59. Occasionally, different areas of a development site will require different, specific strategies. If full excavation is warranted, development cannot normally proceed on any part of the site until this work has been completed, although phasing of the investigation may be possible in some circumstances. Early consultation by the applicant will mitigate or remove any potential delays to the development schedule.

### 4d. Post-Excavation

60. As part of the investigation and recording conditions, a programme of post-excavation will be required.

---

Figure 15: Mitigation Strategies for Archaeological Investigation

Archaeological Condition for **Excavation** or **Building Recording in advance** of development

**Applicant** commissions an **Archaeological Consultant**

**Consultant** submits **WSI** to **Council**

**Planning Archaeologist** recommends approval of the **WSI**

**Consultant** carries out on-site investigation

**Site Investigation** monitored by **Planning Archaeologist**

**Planning Archaeologist** confirms completion of on-site works

Framework for **Post Excavation Analysis** and **Publication** agreed

**Post Excavation** phase completed

Draft **Post Excavation Report** submitted to **Council**

**Planning Archaeologist** confirms report acceptable

**Final Report** deposited with **Cheshire HER**

**Deposition of Archive** with appropriate **museum**

**Planning Archaeologist** advises discharge of condition

**Publication of Report**
61. The results of any archaeological excavation will only benefit the wider community and inform the future management of heritage resources if those results are made available. The applicant should be aware that the accepted professional standards for archaeological work include provisions for post-excavation assessment, followed by analyses and publication, if appropriate. Not all sites will warrant this, but as a minimum a report should be produced within an agreed timescale following completion of on-site work and submitted to the Cheshire HER, and the archive deposited with the appropriate museum, again within an agreed timescale. The provision for a post excavation programme should be included in the WSI.

62. The applicant should understand and budget for the expectation that often post-excavation archaeological programmes extend well beyond the on-site works, and that the archaeological condition will not be discharged until the archaeological archive has been deposited. This is in keeping with professional standards in archaeology, and the Planning Archaeologist will seek to ensure that these standards are met.

63. Conditions are only considered complete when discharged by the Development Management Planning Officer following advice from the Planning Archaeologist.

4e. Unexpected Discoveries

64. Unexpected discoveries are, by their very nature, exceptional circumstances that could not be predicted either through currently available information nor through investigation requested in preliminary stages of a development proposal. While the completion of the UAD in 2013 has identified a substantial body of evidence on which to base decisions there remain parts of the wider urban landscape, and indeed the city where the archaeological potential is essentially unknown. In these areas, there may be the potential for the discovery of previously unknown remains of archaeological significance.

65. Unexpected discoveries can fall under two broad categories: the first is the unexpected discovery of previously unknown heritage assets (or additional elements of known heritage assets) identified during planned archaeological mitigation. On these occasions, the developer and archaeological contractor should work with the Council to seek a satisfactory solution that incorporates the new discovery, so far as is practical, within the existing scheme. Developers may wish to incorporate the potential for unexpected discoveries into their risk-management strategies.

66. The second category relates to entirely unexpected discoveries of significance during a development where there is no archaeological mitigation strategy in place; this may include the unexpected discovery of human remains or treasure, for which there are specific procedures in place, or the discovery of archaeological features of significance. The Council, in these cases, would encourage the developer to seek advice from the Planning Archaeologist with regard to taking adequate measures for the preservation or recording of the new discovery. Unexpected discoveries can ultimately enhance a development by providing it with an increased social and communal value that may contribute to a sense of place.
67. Where human remains are discovered, work should cease and consideration be given to informing the police, although they are unlikely to wish to become involved where remains are clearly ancient and more than 100 years old. It is, however, vital that the requirements of the Burial Act (1857) are followed which means that a licence will, in most instances, be required from the Ministry of Justice before any remains are exhumed. Different provisions will apply where human remains are uncovered in ground consecrated according to the rites of the Church of England, in which case a faculty will be required from the relevant Diocese. In this case, a Ministry of Justice Licence will also be needed if the remains are not to be re-interred in consecrated ground. Further guidance on the complexities of this matter may be found on the Ministry of Justice website.¹⁶

68. In addition, the discovery of human remains that have not been anticipated and addressed in the project design are likely to require further discussion with the Planning Archaeologist in order to agree an appropriate methodology to excavate and record them.

69. The Treasure Act of 1996 outlines the duty of the finder to report the discovery of gold or silver to the local coroner. The Portable Antiquities Scheme can provide advice on the Treasure Act and the reporting of items.

**Guidance Note 5: Professional Standards in Archaeology**

70. All development-led work should be carried out by professional archaeological contractors. The Cheshire Archaeology Planning Advisory Service maintains a list of contractors, many of whom are local and have relevant experience of working in Cheshire. The document is not, however, an approved list and developers are welcome to utilise other sources of information concerning archaeological contractors. In particular, the Institute for Archaeologists (IfA) maintains a Register of Archaeological Organisations (see Appendix 3: Contact Information).

71. All archaeological work, whether it is carried out before development takes place or alongside it, must be in accordance with accepted best practice for archaeological work. The archaeological contractor or consultant hired by the applicant should be familiar with best practice standards, and guidance documents produced by the IfA, the Association of Local Government Archaeological Officers (ALGAO) and English Heritage (see Appendix 3: Contact Information).

72. Due to the nature of the urban deposits in Chester, finds assemblages can be significant and provision for their consideration should be made in project designs and WSIs as well as in post-excavation assessment and analysis, as appropriate. It should be understood that deposits and assemblages are heritage assets as much as structures and features and it should stressed that these need to be afforded similar weight. The Planning Archaeologist will expect a consistency of professional standards, and it is in the applicant’s best interest to ensure that the archaeological work is satisfactory.

73. Significantly, all mitigation must result in the production of an appropriate, satisfactory report of the works, deposited with the Cheshire HER, and all archives (including finds), must be deposited with the relevant body in accordance with the terms and timescales agreed in the WSI.

Guidance Note 6: Built Heritage Assets

74. Heritage assets in Chester includes standing buildings and structures that may be covered by statutory designations such as Listed Buildings, Scheduled Monuments or Conservation Areas as well as non-designated heritage assets with industrial, military, religious or social significance. Local Lists are an emerging tool for local authorities to identify and positively conserve heritage assets of local significance. They are part of the archaeological and historical resource included in the Cheshire HER and contribute to a sense of local character and distinctiveness.

75. Where a development proposal may affect a building or structure with heritage implications, the Planning Archaeologist may request an assessment of the significance of the heritage asset in question. This may take the form of a historic building survey and historic assessment (DBA).

76. Where a proposal may affect a designated heritage asset, the developer is required to assess the significance of the assets and the potential impact of the proposal on them. Proposals affecting designated heritage assets such as listed buildings or conservation area are monitored by the Council’s Conservation and Design Team (see Special Considerations below), however, the records for the heritage assets are maintained by the HER and any reports should also be deposited with them.

Special Considerations

Area of Archaeological Importance (AAI)

77. The AAI was established in 1979 under the Ancient Monuments and Archaeological Areas Act. It is a statutory designation in recognition of the special archaeological resource in Chester. Six weeks’ notice of all ground disturbances in the AAI must be provided to the Planning Archaeologist under the terms of the Act (1979). This can reduce the potential for unexpected discoveries during the works and can reduce overall costs and delays.

General Permitted Development

78. Under the Town and Country Planning (General Permitted Development) Order 1995 (GPDO) as amended planning permission is granted for a number of classes of development categorised as ‘permitted development’. This includes certain types of development by local highway authorities, drainage bodies, sewerage undertakers, telecommunications undertakers and

---

statutory undertakers (utilities, road, rail and canal sites). The applicant is required to notify the Council where prior approval is required. There are specific exceptions to the GPDO made under Article 4 directions; early consultation with the Council will provide the applicant with the most up-to-date information regarding their extent and location. Under the Areas of Archaeological Importance (Exemptions) Order 1984 there are similar exemptions to the notification of works requirement within the AAI.\textsuperscript{20}

\textbf{Ecclesiastical Exemption}

79. The 2010 Ecclesiastical Exemption Order provides a system of exemption for certain denominations from listed building consent when undertaking certain types of works or repairs. Exemption normally applies to ‘listed buildings whose primary use is as a place of worship (referred to as church buildings) and other separately listed structures attached to or within the curtilage of a listed church building’.\textsuperscript{21} It is recommended that congregations intending to carry out work on listed buildings consult the Council in advance of any work to establish the necessary requirements. All works, alterations and additions to Church of England churches do require faculty approval by the relevant diocese. Chester Cathedral lies outside the jurisdiction of the Diocesan Advisory Committee and comes under the provisions of the Care of Cathedrals Measure 2011. By this Measure, works that may affect the archaeology or the historic buildings within the defined precinct are subject to the jurisdiction of the Cathedrals Fabric Commission for England as well as the secular planning controls.

80. The Cheshire Archaeology Planning Advisory Service has provided advice to Chester Diocese on the archaeological implications of proposals by individual parishes. In many instances these works will require planning permission and archaeological issues will be addressed in a way that mirrors that outlined above, although a parallel Faculty on any permission granted by the Diocese is usually advised as well. Where planning permission is not required and the proposals have the potential to damage archaeological remains, an appropriate level of archaeological assessment and, if necessary, mitigation will be advised and the work will be secured by a Faculty. Examples of this type of work might include the excavation of drainage and other service trenches through historic churchyards, works to historic churchyard boundaries, and programmes involving the insertion of new floors in churches. The Diocesan Advisory Committee will often identify archaeological issues during its routine consideration of casework and will consult the Service directly. Parishes or their architects may, however, on occasions wish to consult the Planning Archaeologist directly, who remains happy to offer general advice. The Planning Archaeologist will make the Diocese aware of all correspondence via the Diocesan Secretary.

81. Whilst close liaison is maintained with Chester Diocese, similar protocols are not in place with regard to other denominations that benefit from Ecclesiastical Exemption. Even where planning permission is not required, however, early consultation with the Planning Archaeologist is still advised as the provisions of the Ancient Monuments and Archaeological Areas Act (1979) may still require the notification of works.

\textbf{Scheduled Monument Consent}

82. Lists of Scheduled Monuments are maintained by English Heritage. Applicants intending to submit development proposals affecting a Scheduled Monument should contact English Heritage to assess the feasibility of the proposal. It should be noted that any intrusive investigation on a Scheduled Monument, as well as metal-detecting and geophysical survey, require Scheduled Monument Consent. This is a separate, but parallel process to planning permission. Even if

\textsuperscript{20} The Areas of Archaeological Importance (Notification of Operations) (Exemption) Order 1984. Paragraph 2

\textsuperscript{21} Department for Culture, Media and Sport. 2011. \textit{The Operation of the Ecclesiastical Exemption, Guidance}: Paragraph 16
planning permission is not required, Scheduled Monument Consent may be required, depending on the nature of the proposed works. Applicants should discuss all proposals that involve Scheduled Monuments with English Heritage.

**Conservation Areas**

83. Conservation areas are a designation applied to a wide area for their special architectural and historical interest and can include historic towns and cities, suburban housing, model housing estates, country houses and historic transport links. It should be noted that it is a requirement to notify the Council six weeks in advance of the planned removal of existing trees within a conservation area. Consent for alterations within a conservation area should be obtained through the planning process and advice should be sought from the Council’s Conservation and Design Team.

**Listed Building Consent**

84. Listed buildings are a designation applied to buildings and structures for their special architectural, and historical or group value. There are three grades of listing status, the highest being Grade I, followed by Grade II* and Grade II based on the significance of the heritage asset. Consent for works to a listed building should be obtained through the planning process and advice should be sought from the Conservation and Design Team.

85. Developers should also be aware that proposals for alterations to retail premises, particularly along the Chester Rows, including interior fittings, shop-front design and signage should also be considered for approval by the Conservation and Design Team. The unique character of the Chester Rows is largely dependent on their visual amenity and early consultation with the Council is recommended. Applicants should see this as an opportunity to submit proposals that are innovative; proposals that complement the historical significance and character of the Rows can enhance the reputation and distinctiveness of the retail space.

**Research Investigation**

86. Research investigations affecting a heritage asset may on occasion be proposed by private individuals or institutions. Research investigations should only be undertaken where there would be a public benefit gained by the investigation that outweighs the potential harm caused by any intrusive investigation and provided the proposal meets professional standards in place for plan-led development.\(^\text{22}\) It is recommended that individuals or institutions considering carrying out research investigations contact the Cheshire Archaeology Planning Advisory Service who can provide the appropriate advice regarding professional standards and publication of the results.

---

4 Asset Management

Introduction

87. This section of the Document sets out broad advice on the appropriate management of the historic environment both above and below ground. It provides advice for the owners and guardians of heritage assets on The Maintenance of Heritage Assets, recommendations for Conservation Management Plans (CMPs) for specific heritage assets and for The Disposal of Heritage Assets. The framework presented here outlines key considerations for the continued management of heritage assets as a viable and sustainable resource. Although primarily aimed at local government and other public bodies, there are underlying principles that also apply to the private sector.

88. The benefits of appropriate heritage asset management are significant: economically, it can reduce long term maintenance costs, reduce construction waste, increase the value of the heritage asset and it can lead to a more sustainable resource for the future. The cultural benefits to heritage asset management are also significant: helping to improve community awareness, improving knowledge of and awareness of the significance of heritage assets and encouraging social identity by contributing to a sense of place.

The Maintenance of Heritage Assets

89. Heritage assets require maintenance to preserve and conserve their character, either as part of a long-term strategy of landscape or property maintenance through conservation management or in the short-term with the preservation of below ground archaeological remains prior to their reburial. Periodic surveys of heritage assets by their owners and guardians represent the core principle of heritage asset management. It is recommended by the British Standard Guide that five yearly inspections be carried out on government owned heritage assets. Adopting this strategy enhances the long term economic viability and sustainability of assets and represents a fundamental shift from reactive to proactive asset management.

Buildings and Structures

90. Buildings and structures are heritage assets that require specific maintenance programmes to conserve the historic fabric and character of a structure. English Heritage offers comprehensive guidance to home-owners on buying, owning, maintaining and disposing of historically

---

significant buildings and structures (see Appendix 2: Further Advice for Heritage Asset Management).

91. Owners of vacant properties should guard against damage and decay through regular monitoring. Regardless of whether the property is occupied or not, the economic benefits of a programme of regular maintenance include reducing long term repair costs, reducing potential theft and criminal damage and retaining a level of desirability for prospective tenants or occupiers. The significance of a heritage asset is not affected by its condition; they remain important even if they are vacant or in a poor state of repair, contributing to a sense of place and cultural identity. The positive conservation of listed buildings through sustainable redevelopment is encouraged in order to preserve their character.

Buried Remains and Archaeology

92. Archaeological features are normally documented during the process of excavation. In these cases they are considered to be preserved by investigation and recording through the adequate documentation and publication of the investigation (Guidance Note 4: Guidance for the Consideration of Archaeological Issues as Part of the Planning Process). The discovery of archaeological features worthy of preservation, however, may lead to below-ground conservation *in situ* by adopting suitable construction techniques. In exceptional circumstances, however, a feature or substantial part of a feature may be worthy of preservation in a manner that makes it accessible to the public. This can be achieved through alteration of a development design, for example, the incorporation of the Roman strong-room from the Legionary Headquarters Buildings into the design of the Forum Shopping Centre.

Above Ground Archaeological Remains

93. Archaeological remains that survive above-ground, such as earthworks and modified rock cut features, require different maintenance and conservation strategies. In Chester there are examples of earthworks of both these types. Earthwork assets range from agricultural ridge and furrow dating to the medieval and post medieval periods, relict roads in the form of holloways and former lanes and defensive banks and ditches dating from the Roman period to the Civil War. These earthworks may survive in isolation or they may be part of a wider landscape and their preservation can be achieved through sympathetic management of the landscape such as alternative methods of crop seeding, reversion of land to pasture, or monitoring of vegetation growth that may be damaging.

94. Rock-cut heritage assets in Chester include the Roman shrine of Minerva at Edgar’s Field, the medieval anchorite cells at St John’s Church and quarry sites in Handbridge and Chester’s historic core. These features are at risk from erosion by weather as well visitor pressure, vandalism and decay over time. Preservation of these features is problematic: current advice is for low-level maintenance and limited direct access, as well as promoting interpretation through the use of interpretation panels (see Appendix 2: Further Advice for Heritage Asset Management).

Historic Landscapes in an Urban Environment

95. Historically significant landscapes in Chester include formal, designed, landscapes such as historic parks and gardens as well as 19th and 20th century public parks (such as Grosvenor Park), historic churchyards and municipal cemeteries whether they are active or closed. It may also include industrial landscapes such as quarries, and modified natural landscapes such as managed historic woodland and artificial or modified water bodies such as the Shropshire Canal or the Serpentine Lake at Curzon Park. Landscape management requires heritage conservation as well as biodiversity conservation yet must also consider economic and business viability concerns as well as more practical issues, for example, in the case of cemeteries both active and closed.
96. Advice on the management and conservation of historic parkland, golf courses, historic churchyards and cemeteries is available from English Heritage including detailed guidance on carrying out condition surveys, risk assessments and the production of conservation plans (see Appendix 2: Further Advice for Heritage Asset Management).

Heritage Crime

97. The scale and impacts of crime and anti-social behaviour on heritage assets have been highlighted in recent years by English Heritage and its partners such as Cheshire West and Chester Council. While high profile cases such as arson or metal theft from church roofs are the most publicised, other types of criminal activities - whether deliberate or through ignorance of the law – such as vandalism, graffiti and architectural theft can be as equally devastating. A series of guidance notes have been produced by English Heritage on heritage crime and its prevention including advice on prevention measures and a quick assessment toolkit for assessing the risks inherent in types of heritage assets.

98. A key concern for existing buildings or structures of historic significance is their occupancy; vacant or partially occupied buildings, particularly heritage assets, may be vulnerable to deliberate damage and decay.

99. Heritage crime affecting scheduled monuments or parks and gardens can be equally damaging but more insidious; damage caused by off-road motorbikes, mountain bikes or cars to sensitive earthworks can have an incremental impact while other forms of heritage crime include deliberate ploughing, unauthorised metal detecting, total or partial removal of earthworks and environmental damage (fly-tipping, litter, etc). In an urban environment such as Chester, the most common challenges facing scheduled heritage assets may include graffiti or other structural damage, earthwork damage or metal detecting (see Conservation Management Plans Appendix 2: Further Advice for Heritage Asset Management).

Conservation Management Plans

100. Conservation Management Plans (CMPs) are documents that explain why a place is significant and sets out how that significance can be sustained through future use, management, alteration or repair. They are usually prepared or commissioned by the owners, curators or managers responsible for the care of a site or a heritage asset. In contrast to development-focused Management Plans or Master Plans, CMPs are driven by significance and how this should be managed. They also have a holistic approach, which makes them applicable to sites

---

25 Management Plans and Master Plans differ from CMPs in that the focus is on development opportunities and their benefits, while CMPs focus on maintaining the significance of the heritage asset while encouraging sustainable development.
with more than one type of heritage asset. The key to CMPs is that they are available to inform change before key decisions relating to a site are made. Other plans with a similar outcome include Heritage Protection Agreements, which are intended to streamline the planning process for complex sites and Section 17 Agreements which are schemes for the long term maintenance of Scheduled Monuments.

101. There are a number of guides and advice statements available (see Appendix 2: Further Advice for Heritage Asset Management) but a CMP should outline the significance, the current condition and use of heritage assets, an assessment of the site’s past use that will inform the potential for archaeological or less obvious elements, as well as including a consideration of it within the wider landscape, urban environment or historical setting. It should also include a critical analysis of the potential economic and cultural benefits of future repair, alteration or change of use. Most importantly, it should detail a strategy outlining the future conservation and management of the heritage assets, including an evaluation of the risk of heritage crime and proposals for prevention, and a detailed scheme for planned maintenance (and provision for unexpected repair). Financial assistance for the strategy, from the public or private sector, should also be considered, as should the potential for public access and the possibility of promoting the asset as an attraction where appropriate. It is best practice to consult the local authority and the Cheshire Archaeology Planning Advisory Service when drawing up CMPs that may have a wider impact on heritage assets that are, or plan to be, open to the public, or that may require planning permission.

**Classes of Heritage Assets Benefitting from Management Schemes**

102. In some cases, a general management plan may be a viable option for a class of heritage asset under a single ownership rather than individual plans for individual assets. A recent programme of general management schemes has been initiated by English Heritage for places of worship, for example. The outcomes of these schemes suggest that, provided a reliable and competent contractor is selected, there may be a significant reduction in costs across the scheme as a whole. Similar schemes may be advisable for public parks and open spaces, cemeteries and burial grounds or non-conformist chapels where similar principles and practices can be applied (see Appendix 2: Further Advice for Heritage Asset Management).

**Heritage Assets in Chester which may Benefit from a Conservation Management Plan**

103. CMPs have been commissioned by the Council for a number of Chester’s significant heritage assets, including the City Walls, the Castle, Grosvenor Park, the Cathedral precinct and The Rows. The City Walls, for example, has a formally adopted CMP that benefited from a combined strategy of routine repairs to conserve this highly significant structure, promotion of its continued use and status as a tourist attraction, and the advancement of research on its construction. Other adopted CMPs could ensure and assist the sensitive management of Chester’s significant places before key decisions regarding future development are made.

**The Disposal of Heritage Assets**

104. This section reviews the process by which heritage assets should be correctly disposed of as well as the key considerations involved. Heritage assets differ from many other assets in an estate portfolio. They represent an irreplaceable resource that should be protected from unsustainable development and prospective owners should consider the guidance provided above when considering the acquisition of heritage assets.

---

105. Heritage assets held by governmental or non-governmental public bodies are subject to certain requirements based on public accountability and achieving the best value for money without sacrificing the integrity of the heritage assets. By contrast, there are fewer mandatory requirements on the disposal of heritage assets by private individuals and corporations; however, potential owners should be aware that designated heritage assets often have existing management agreements such as CMPs, Section 17 Agreements (on Scheduled Monuments), Heritage Partnership Agreements or other restrictions on use.  

*The Disposal of Heritage Assets by Private Individuals*

106. Advice for prospective buyers of listed buildings is available from English Heritage and outlines key considerations such as the use of certain materials or construction techniques during maintenance or repair, in order to preserve its significance as a heritage asset (see Appendix 2: Further Advice for Heritage Asset Management).

107. Individuals seeking to dispose of their heritage assets should provide potential buyers with existing designations affecting the asset in question as well as any additional relevant guidance, for example, restrictions on design and shop frontage on the Chester Rows.  

*The Disposal of Heritage Assets by Governmental Bodies*

108. Heritage assets, held as part of their estate by governmental and non-governmental public bodies are subject to mandatory requirements concerning their management and disposal. As part of the estate management process, there may be occasions where assets are identified as surplus or not employed to their best use, in such cases there are certain conditions that must be met before assets can be transferred to new ownership. Guidance on the disposal of surplus assets by governmental bodies has been produced by the Office of Government Commerce in 2005 providing detailed guidance on best practice for the preparation of an asset for disposal.

109. English Heritage has also produced advice that outlines best practice that could be adapted, where appropriate, for local authorities and other public bodies. Practical advice and toolkits have been produced by English Heritage and the Princes Regeneration Trust targeted specifically at local authorities and other public bodies seeking to maximise the potential of their estates. In summary, they outline a series of steps that should be taken before, during and after the disposal of heritage assets.

**Step 1: Identification and Preparation**

110. Before heritage assets can be identified for disposal, the local authority should be aware of the potential, significance and condition of assets within their estate. The advice given in *The Maintenance of Heritage Assets* will ensure that heritage assets remain cost effective and in a ready condition for disposal where necessary. Regular appraisal of the estate portfolio will ensure the most accurate information is available, including the long term preservation of that asset.

111. It should be remembered that heritage assets may include both above- and below-ground remains, and can be either designated or undesignated.

112. Conservation Management Plans or conservation statements will enhance the value of the property in the eyes of prospective buyers and at least a preliminary statement should be prepared in order to guide potential buyers. This should include options for re-use, regeneration.

---

34 [http://www.princes-regeneration.org/sustainableheritage/toolkit](http://www.princes-regeneration.org/sustainableheritage/toolkit)
and management over a minimum of ten years so as to ensure the preservation and conservation of the heritage asset.

**Step 2: Methods of Disposal and the Disposal Process**

113. The disposal process should be driven first and foremost by the preservation of the heritage asset in a sustainable manner rather than providing the highest value. Where there are heritage implications to the disposal of an asset, prospective buyers should seek to ensure their long-term survival as this should be the principle requirement of a successful bid. To avoid damaging the significance of a heritage asset and its setting, it is not recommended that large heritage assets be broken up and sold separately; a Section 106 Agreement may ensure that this remains the case.

114. A successful bid should include a cost-benefit analysis identifying potential risks involved, a schedule of maintenance and renovation as well as a realistic timescale, and could consider the potential for Heritage Partnership Agreements to manage change efficiently.

115. Alternative approaches to disposal may include targeting local community-based organisations who may have an interest in preserving the heritage asset or a developer specialising in the regeneration of heritage assets may be sought. Up-to-date information can also provide the local authority with a sound basis for identifying those assets that might benefit from disposal, and those that may not.

116. Heritage assets with limited or no economic value, such as ruins or field systems should be subject to the most detailed disposal plan. Although there may be potential re-use or adaptation strategies, they may not prove cost-effective or in the best interests of the heritage assets – some heritage assets are simply not able to accommodate change – and in such cases disposal to a charitable foundation or trust may present a solution. Assets in a significant state of disrepair should be restored to a viable state before disposal can commence. The local authority is required to ensure the continued preservation of the heritage asset through adequate assessment of prospective owners.

**Step 3: Ensuring the Future and maintaining Sustainability**

117. Local authorities have a duty to ensure that heritage assets are preserved even after their disposal. This can be ensured in every step of the disposal procedure from the arrangement of a CMP or conservation statement in advance of sale to the agreement of a heritage partnership agreement and planning brief with the successful buyer. The details of the agreement in place should be subject to monitoring procedures to ensure they are fulfilled.

118. Partnership Agreements, including Private Finance Initiatives (PFIs) and Public Private Partnerships (PPPs) require that clear information about the asset in question be passed on from the local authority to the owner acquiring it. The information provided should include a statement of significance at the very least and, where possible, an appropriate conservation management plan. Prospective buyers should then seek to provide the local authority with the best possible plan for the regeneration and continued use of that heritage asset.
Terms Used

Applicant/Developer

“An individual or organisation either applying to a borough for planning consent or to a borough, minister or secretary of state for Scheduled Monument, Listed Building or Conservation Area consent” (IfA, 2012).

Article 4

Article 4 directions are made under article 4 of the Town and Country Planning (General Permitted Development) Order 1995 which enables the Secretary of State or the local planning authority to withdraw specified permitted development rights for specific properties or across a defined area (DCMS).

Character

The character of a place is formed by the distinctive elements contained within it, “in large measure determined by its inherited features such as streets, hedges, archaeological sites, buildings or place names. Understanding this character is one of the starting points for deciding a place’s future.” (HELM)

Designated Heritage Asset

“A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park or Garden, Registered Battlefield or Conservation Area designated as such under the relevant legislation." (NPPF: Annex 2)

Evidence Base Document

Evidence based documents represent the ongoing process of research carried out by the authority and other sources (Local Plan: Section 5), they provide an essential input into the preparation of the Local Plan and form a material consideration in the planning process.

Heritage Asset

“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.” (NPPF: Annex 2) Heritage assets “hold meaning for society over and above its functional utility” - and by extension its intrinsic value. (EH, 2012a, 8)

Historic Environment Record

“Informative services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.” (NPPF: Annex 2)

Planning Archaeologist

The archaeological advisor appointed by the Council to provide specialist advice on the archaeological implications of planning applications and master-plans in the City of Chester.

Significance

“The value of a heritage asset to this and future generations is because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting” (NPPF: Annex 2)
Section 17 Agreement

Long term management agreement for maintenance works to a scheduled monument, agreed under Section 17 of the Ancient Monuments and Archaeological Areas Act (1979).

Section 106 Agreement

Mechanism for securing a planning agreement for a development proposal where there may be negative implications, agreed under Section 106 of the Town and Country Planning Act 1990.

Sense of Place

An identification with an area, a strong sense of place is inherent to thriving communities. Often used in relation to those characteristics that make a place special or unique.

Setting

“Setting is the surroundings in which an asset is experienced. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.” (EH, 2012a, 34)

Sustainable Development

NPPF outlines three key themes for sustainable development including the need for it to fulfil an economic role, a social role and an environmental role contributing to protecting and enhancing the natural, built and historic environment. (NPPF, 2012, 2)
Appendix 1: National Legislation and Policies

Legislation Protecting Designated Heritage Assets

Designated heritage assets, namely scheduled monuments, registered parks and gardens and listed buildings, in addition to Areas of Archaeological Importance and conservation areas are protected by the following Acts of legislation.

Civic Amenities Act (1967)

This Act identified the criteria for establishing Conservation Areas and outlines the processes involved in applying for authorisation of works within their boundaries. Conservation Areas are subject to national planning policy under the NPPF.

The Ancient Monuments and Archaeological Areas Act (1979)35

This Act made provisions for the investigation, preservation and recording of matters of archaeological or historical interest and regulated operations and activities affecting such matters. The alteration or development of Scheduled Monuments may only take place with the written consent of the Secretary of State, a procedure that is entirely separate from the planning process. Consent for any activity impacting upon a scheduled monument must be sought from English Heritage, and the local authority should also be notified. The Act defines Areas of Archaeological Importance (AAIs) within which prospective developers must serve notice allowing time and access for archaeological investigation to take place before development begins. Planned development within the AAI is subject to national planning policy under the NPPF.

National Heritage Act (1983)36

This is one of four Acts of Parliament which determines the way particular heritage assets are managed and protected. The 1983 act was the third, and it established the Historic Buildings and Monuments Commission (now English Heritage) to manage the historic built environment. This Act identified the criteria for designating Registered Parks and Gardens, however, it does not provide for a separate consent scheme. Registered Parks and Gardens are subject to national planning policy under the NPPF.

Planning (Listed Buildings and Conservation Areas) Act (1990)37

This Act identifies the criteria for the designation of listed buildings and outlines the processes involved in applying for authorisation of works, and clarifies issues relating to the designation of conservation areas, and any works taking place within them. Listed Buildings are subject to national planning policy under the NPPF.

Town and Country Planning (General Permitted Development) Order 1995 (as amended)38

This Statutory Instrument (delegated or secondary legislation) established Permitted Development, where certain development proposals and schemes are exempt from the formal planning system including work carried out by statutory undertakers (utilities, CCTV and cables, railway and canal work) however, this exemption can be revoked by an Article 4 direction and advice should be sought from the local authority before any work can commence.

The Planning Framework


The NPPF sets out the Government’s planning policies for England and outlines how they are expected to be applied to achieve sustainable development. It provides a framework within which it is expected that local government bodies and communities will produce Local Plans reflecting their distinctive needs and priorities. With respect to conserving and enhancing the historic environment, it is expected that development proposals will include a “positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats”.39 The NPPF replaces a number of national policies relating to the historic environment including Planning Policy Guidance Notes 15 and 16 (1990 - 2010), and Planning Policy Statement 5 (2010 - 2012).

Policies concerning the historic environment are outlined in Section 12 of the NPPF, and considers designated and non-designated heritage assets as “irreplaceable resource[s] and [seeks to] conserve them in a manner appropriate to their significance”.40

Local Development Framework (2013) 41

The Local Plan (Part One) Strategic Policies was prepared by the Council and sent out for an eight-week consultation period (September – November 2013) after which it will be submitted to the Secretary of State who will then appoint an independent inspector to access the Local Plan (Part One) through a public examination expected in 2014. The Local Plan sets out the overall vision, strategic objectives, spatial strategy and strategic planning policies for the borough for the period 2010 to 2030. The Local Plan (Part One) will be the starting point when considering planning applications and will be supported by the Local Plan (Part Two) Land Allocations and Detailed Policies Plan in due course.

Historic Environment Policy ENV5 relates to heritage assets and the historic environment including above and below ground archaeology, historic landscapes and the historic built environment in the planning process at a strategic level:

ENV5 Historic Environment

“The Local Plan will protect the borough’s unique and significant heritage assets through the protection and identification of designated and non-designated heritage assets. Development should safeguard or enhance both designated and non-designated heritage assets and the character and setting of areas of acknowledged significance. The degree of protection afforded to a heritage asset will reflect its position within the hierarchy of designations. Where development is likely to have a significant adverse impact on designated heritage assets and their settings and cannot be avoided or preserved in situ it will not be permitted. Development should respect and respond proportionately to non-designated heritage assets and their settings avoiding loss or damage wherever possible. Where appropriate the Council will support an acceptable level of enabling development to secure the future of heritage assets. Development in Chester should ensure the city’s unique archaeological and historic character is protected.”42

Additional policies from the Chester District Local Plan (adopted May 2006) have been retained by the Local Development Scheme (LDS) at this stage, including those relating to the evaluation and

recording of archaeological sites; to development and alterations that might take place within a
conservation area; and to specific issues involving listed buildings and other designated heritage
assets. Part Two of the Local Plan will include revisions and replacements for the 2006 saved
policies.

Potential development issues unique to Chester are described by Strategic Policy 3 (STRAT 3), and
highlight future planned enhancement of the city’s role as an economic and leisure centre for the
area.

**Additional Considerations and Guidance**

*Localism Act and Neighbourhood Plans (2011)*

Under the Localism Act, communities are encouraged to organise their own Neighbourhood Plans
and guide planning applications in that area.

Neighbourhood Development Plans are community-led frameworks for guiding future development
and growth in an area, and are intended to identify policies and plans for a specific area, subject to
conforming to national policies. If a Neighbourhood Plan is adopted, planning decisions in that area
should be made in accordance with that document. There are exemptions to the remit of the
Neighbourhood Plans such as major infrastructure and minerals rights. However, where there are
strategic level policies in place by a Local Plan, these take precedence over guidance provided by
Neighbourhood Plans. The historic environment is considered a strategic priority and any proposal
with the potential to impact the historic environment should be considered under the guidance of
the NPPF.

The Localism Act also introduced the Community Right to Build Order empowering any local
community organisation with the right to develop a site that may further the economic,
environmental and social well-being of an area.

*National Heritage Protection Plan (2013)*

English Heritage is the lead advisory body for the historic environment to the Government and
maintains a statutory role in the planning process. The National Heritage Protection Plan (NHPP) was
produced by English Heritage in light of the recent changes to planning and development as a
common framework for the historic environment sector. The NHPP aims to ensure the protection of
the historic environment and is intended to provide both a framework for determining heritage
protection policies and for the delivery of these policies.

The NHPP aims to ensure that the historic environment is not needlessly subjected to risk, is
experienced and enjoyed by local communities, contributes to sustainable and distinctive places to
live and work, and helps to deliver positive and sustainable economic growth. It proposes a series
of eight Measures that are deliberately broad in their scope, as both the NPPF and NHPP expect local
government and heritage sector bodies to create Action Plans to suit the needs of specific
communities. The eight Measures relate to building an evidence base of heritage assets, to defining
their character and significance, and to managing any planned change while enhancing and
preserving the historic environment.

---

Appendix 2: Further Advice for Heritage Asset Management

**English Heritage** is a statutory consultee on issues relating to heritage assets and has provided comprehensive guidance on their management and conservation.

For advice on listed buildings and structures:
http://www.english-heritage.org.uk/your-property/owning-historic-property/

Advice on buying a listed building:
http://www.english-heritage.org.uk/your-property/owning-historic-property/thinking-of-buying/

For advice on historic parkland:

For advice on cemeteries and burial grounds:

For lakes and water bodies:

For advice on public parks and open spaces:

For advice on preservation in situ:

For advice on climate change:
http://www.english-heritage.org.uk/professional/advice/advice-by-topic/climate-change/

For advice on heritage crime:
http://www.english-heritage.org.uk/professional/advice/advice-by-topic/heritage-crime/

For advice on church maintenance schemes

Advice on the conservation of rock carvings can be found on the Archaeology Data Service website from England’s Rock Art project.
http://archaeologydataservice.ac.uk/era/section/record_manage/rm_projects_nadrap_home.jsf

**Natural England** provide grants and advice for the protection of natural and heritage assets in landscapes through stewardship schemes:

Additional advice can be sought from the **Princes Regeneration Trust** who provide a heritage toolkit on the management and disposal of heritage assets as well as case studies of successful regeneration projects.
http://www.princes-regeneration.org/sustainableheritage/introduction
Appendix 3: Contact Information

Cheshire West and Chester

Planning and Development Control
Email: planning@cheshirewestandchester.gov.uk
By post: Development Planning,
Cheshire West and Chester Council,
Wyvern House,
The Drumber,
Winsford,
CW7 1AH

Planning Archaeologist
The contact for the city of Chester and its immediate environs: 01244 972115

The Historic Environment Records Office
Email: hbsmadmin@cheshirewestandchester.gov.uk
Tel: 01244 973667 or 01244 973997
By post: Cheshire Historic Environment Record,
The Forum,
Chester,
CH1 2HS

Conservation and Design Team
Email: conservationanddesign@cheshirewestandchester.gov.uk
By post: Cheshire Historic Environment Record,
The Forum,
Chester,
CH1 2HS

Statutory Consultee

English Heritage (Planning)
Email: NPCU@communities.gsi.gov.uk
Tel: 0303 444 8050 National Planning Casework Unit,
By post: 5 St. Philips Place,
Colmore Row,
Birmingham
B3 2PW
Finding Specialist Contractors

It is recommended that the applicant seek quotes from several contractors in the area in order to get the best possible contractor. The contractor will require a copy of the development proposal and the archaeological recommendations of the Planning Archaeologist. The contractor will normally deal directly with the Planning Archaeologist on behalf of the applicant regarding specialist advice.

Professional Standards

The Association of Local Government Archaeological Officers (UK)
Home Website: http://www.algao.org.uk
Standards and Guidance: http://www.algao.org.uk/sgt

English Heritage
Home Website: http://www.english-heritage.org.uk

The Institute of Archaeologists
Home Website: http://www.archaeologists.net
Standards and Guidance: http://www.archaeologists.net/codes/ifa

Useful links

The Institute for Archaeologists (IfA) maintains a register of organisations for historic environment practices. The IfA requires their members to meet defined levels of competency.
Home Website: http://www.archaeologists.net/
Directory Website: http://www.archaeologists.net/ro

The Institute of Historic Building Conservation (IHBC) website provides links to several registers of specialist organisations. Members are required to meet defined levels of competency.
Home Website: http://www.accon-uk.com/
Directory Website: http://www.ihbc.org.uk/hespr/

The Institute for Conservation (ICON) operates a register of accredited conservator-restorers.
Home Website: http://www.ice.org.uk/
Directory Website: http://www.conservationregister.com/

The Royal Institution of Chartered Surveyors maintains a register of accredited building conservation members.
Home Website: http://www.rics.org/uk/
Directory Website: http://www.rics.org/uk/find-a-member/

The Institute for Civil Engineers and the Institute for Structural Engineers operate a joint register of engineers that they are capable of producing and implementing a conservation scheme.
Home Website: http://www.ice.org.uk/
Directory Website: http://www.ice.org.uk/Membership/Members-Directory

Accon Ltd. operates a register of architects accredited in building conservation.
Directory Website: http://www.aabc-register.co.uk/