

<b>17 October 2023</b>		<b>ITEM: 5</b>
<b>Planning, Transport and Regeneration Overview and Scrutiny Committee</b>		
<b>Thurrock Scheduled Ancient Monuments: Assessment of Settings – April 2023</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Yes	
<b>Report of:</b> Alec Scragg, Place & Design Manager		
<b>Accountable Assistant Director:</b> Tracey Coleman, Chief Planning Officer		
<b>Accountable Director:</b> Mark Bradbury, Director of Place		
<b>This report is Public</b>		

## **Executive Summary**

Thurrock is host to 17 Scheduled Ancient Monuments, designated by the Secretary of State for Culture, Media and Sport (via the recommendation of Historic England) under the 1979 Ancient Monuments and Archaeological Areas Act.

The Thurrock Scheduled Ancient Monuments: Assessment of Settings is a technical baseline document that provides a detailed assessment of the significance and setting of these Scheduled Ancient Monuments (SAMs), as well as initial recommendations as to how the setting and significance of each SAM can be preserved and enhanced. It has been prepared to support the plan-making process as well as to better enable evidence-led decision making within Development Management.

No objections were received to the SAM assessment public consultation document. Historic England were complimentary of the consultation document and provided minimal comments on points of detail, suggestions for further actions, and links to updated best practice and guidance.

### **1. Recommendation(s)**

**1.1 That the Planning, Transportation and Regeneration Overview and Scrutiny Committee note and provide comment on the Thurrock Scheduled Ancient Monuments: Assessment of Settings report (April 2023) (Appendix 1)**

### **2. Introduction and Background**

- 2.1 Thurrock has 17 SAMs ranging in date from the neolithic causewayed enclosure at Orsett to Coalhouse Fort, Tilbury Fort, and the WWII Bombing Decoys on Fobbing Marshes. All are of national importance, either because they are particularly intact examples of their type of monument or because they are a rare survival of that monument form. All significantly contribute to the understanding and enjoyment of the archaeology and history of Thurrock and provide an important and tangible link with the past.
- 2.2 The Department for Culture, Media and Sport (advised by Historic England) is responsible for the identification and designation of SAMs (under the 1979 Ancient Monuments and Archaeological Areas Act). As a Local Planning Authority, Thurrock Council has specific duties regarding heritage as captured within the National Planning Policy Framework (NPPF). This includes the need for the Local Plan to set out a positive strategy for the conservation and enjoyment of our historic environment (para 190), maintain or have access to a historic environment record (para. 192), make information about the historic environment gathered as part of policymaking or development management publicly accessible (para. 193) and identify and assess the particular significance of any heritage asset (including SAMs) that may be affected by a proposal (including by development affecting the setting of a heritage asset) considering the available evidence and any necessary expertise (para.195).
- 2.3 The Thurrock SAM Assessment of Settings report seeks to provide a technical baseline that can act as robust evidence to Thurrock Council in its role as a Local Planning Authority, both within the development of its emerging Local Plan but also within its Development Management function. The assessment is designed to be used by planners to understand the nature of each of Thurrock's SAMs, their setting and importance. Focus is given to definition of the setting of the SAMs which can be used, along with advice from the Local Planning Authority's historic environment advisor (ECC Place Services) to guide whether development with the potential to impact the SAM (if proposed) can be achieved without causing significant harm to the monument.
- 2.4 For each of Thurrock's SAM, the assessment provides a description of the monument, an assessment of the heritage asset's significance, an assessment of the contribution of the setting to this significance, an understanding of the experience of the asset, an appreciation of the rarity of comparable survivals of setting, high-level identification of future developments and other impacts within the setting of the heritage asset, and initial recommendations for the preservation and enhancement of the SAMs setting. Key viewpoints for appreciation of the SAMs have been identified and recorded through site visits and photography.
- 2.5 The Thurrock SAM Assessment of Settings report is an important enrichment to our historic environment record (maintained by ECC Place Services as part of the wider Essex Historic Environment Record). As a baseline document, it provides critical evidence to support the following wider streams of work:

- Many of the SAMs lie within or close to sites that have been submitted to the Council as part of the Call for Sites process that forms part of the development of the emerging Local Plan. Under the NPPF, Thurrock Council has a duty as a Local Planning Authority to identify and assess the particular significance of any heritage asset (including SAMs) that may be affected by a proposal. The evidence provided by the SAM assessment is critical to ensure we properly consider the wider setting of the SAMs when considering growth options and allocations as part of the developing Local Plan.
- Several SAMs are in proximity, or within, the proposed Lower Thames Crossing DCO boundary. Additionally, the visual and aural impact of the Lower Thames Crossing has the potential to negatively impact the setting of other SAMs in the borough. An up-to-date assessment of setting and heritage significance is critical to enable Thurrock Council to properly provide evidenced representations to the Planning Inspectorate as part of the DCO process.

### **3. Issues, Options and Analysis of Options**

- 3.1 The Council, as a Local Planning Authority, has to take account of the policies in the NPPF to identify, assess, and set out a positive strategy for the conservation and enjoyment of the SAMs within the borough (as a key component of our historic environment). The Thurrock SAMs Assessment of Settings is considered a necessary and important technical baseline to enable evidence-led decision making in pursuit of these duties. While the policies in the NPPF include that Thurrock Council should maintain and have access to a historic environment record and to publish any information gathered about the historic environment as part of policymaking or development management, there is no specific statutory requirement to undertake a specific SAM Assessment of Setting.
- 3.2 As a result, two options have been considered:
- To publish the Thurrock Scheduled Ancient Monuments: Assessment of settings report, as updated following public consultation.
  - To not publish the Thurrock SAM Assessment of settings report and rely solely on Essex Historic Environment Record and advice from our historic environment adviser (ECC Place Services) on a case-by-case basis regarding impact on our SAMs.
- 3.3 There are no identified risks in regards the first option (publication of the Thurrock SAM Assessment of settings report) as the report represents a technical heritage assessment that only supplements our historic environment record. Publication of the assessment (which has already undergone public consultation) would have the added benefit of creating a shared and public baseline that would enable better collaboration between the Council and other stakeholders.

3.4 Regarding the second option, this would create several significant risks to the Council:

- As a Local Planning Authority, the Council's policy and practice would not be in line with the government policy contained in para 193 of the NPPF if we were to rely on the evidence contained within the assessment informally for policymaking and development management but fail to publish it.
- It would entail additional expense to the Council, as it does not currently employ a heritage/conservation officer and would have to rely on its external historic environment advisor (currently ECC Place Services) or another external consultant to provide additional advice on SAM assessment of settings on a case-by-case basis and at cost.
- Failure to provide robust and clear evidence on the impact of potential development on the setting of our SAMs would create risks to the Council in terms of providing the necessary evidence to support the emerging Local Plan process. These risks include being challenged at examination, such as by Historic England as the statutory consultee on heritage matters.
- It would create immediate risks in terms of supporting the Council's Development Management function. An up-to-date baseline on potential development impacts on our SAMs is necessary to ensure evidence-led decision making and minimise risks to the Council that may arise in potential planning appeals.

3.5 Given the balance of risks, the preferred option is to progress with publication of the Thurrock SAM Assessment of Settings (**Appendix 1**).

#### **4. Reasons for Recommendation**

4.1 Publication of the Thurrock Scheduled Ancient Monument: Assessment of Settings (April 2023) would provide a critical evidence base to support Thurrock Council's duties, as a Local Planning Authority, under the National Planning Policy Framework to ensure the conservation and enhancement of the borough's historic environment.

#### **5. Consultation (including Overview and Scrutiny, if applicable)**

5.1 Public consultation on the Thurrock SAM Assessment of Settings was undertaken by the Council for 6 weeks in 2022 (from 24<sup>th</sup> January to 6<sup>th</sup> of March). This was facilitated via our consultation portal, Engagement HQ. The consultation was publicised via press releases, emails to Elected Members and Community Forums, and to those who had signed up to the associated mailing list.

5.2 The online public consultation was viewed 438 times, with the survey for responses receiving 52 unique visitors, of which 16 provided responses. One response submitted 'no comment', another response refers to technical issues

with access to the document via the engagement website. The remaining 14 comments all relate to Coalhouse Fort, including:2

- A desire, from 1 respondent, to see Coalhouse Fort designated a World Heritage Site.
- Concern, from 5 respondents, over the closure to the public of Coalhouse Fort and a desire to see it reopened
- Concern, from 9 respondents, over the condition and need of maintenance at Coalhouse Fort
- A desire, from 9 respondents, to give an active role to local volunteers and community groups in the maintenance and upkeep to Coalhouse Fort.

5.3 Those comments relating to World Heritage Site designation, the closure to the public of Coalhouse Fort, and the desire for a more active role to local volunteers and community groups in the maintenance and upkeep to Coalhouse Fort, are considered outside the scope of the report. The report is intended as a focused and technical assessment on the setting of the SAMs (including Coalhouse Fort) and not on the condition and use of the monuments themselves. It is not the purpose of the assessment to provide detailed Conservation Management Plans for the SAMs, which would be the more appropriate instrument for detailing how Coalhouse Fort could be maintained, opened to the public and the opportunities for engaging local volunteers and community groups in the preservation and enhancement of the Fort. The comments on the condition of Coalhouse Fort are relevant where they refer to the setting of the monument, but it is felt that this has been mentioned and appropriately covered within the assessment.

5.4 Historic England were not originally consulted during the public consultation window as they had not been readded to the consultation database following the move from Objective to Engagement HQ, as their email address had changed in the interim. Historic England were instead consulted following the close of the public consultation. Their response was complimentary and positive of the report, and requested minor amendments in terms of formatting, graphics, and references to external sources. Historic England provided further clarity as to current best practice guidance to be referred to in the assessment, and on the role of Heritage Impact Assessments within any development at risk of impacting the setting of the SAMs. Historic England also suggested that seven of the SAMs would benefit from listing enhancement within the National Heritage List for England.

## **6. Impact on corporate policies, priorities, performance and community impact**

6.1 The Thurrock SAM Assessment of setting report aligns with Thurrock Council's priorities around 'place' in terms of a 'heritage-rich borough which is ambitious for its future', by providing an updated assessment of the heritage significance of Thurrock's important heritage assets. The report helps create a positive plan for the protection and enhancement of our SAMs, as well as

provide more public information about them which helps engender civic pride and anchor a community's identity.

- 6.2 The report is a technical baseline assessment of the setting of SAMs within the borough. It does not propose additionally scheduling of monuments (which is outside the authority of Thurrock Council) and does not create any additional burdens to landowners or owners of the monuments

## 7. Implications

### 7.1 Financial

Implications verified by: **Laura Last**  
**Senior Management Accountant**

There are no financial implications represented by publishing the Thurrock SAM Assessment of Settings

### 7.2 Legal

Implications verified by: **Linda Saunders**  
**Planning Solicitor**

Paragraph 193 of the NPPF says that 'local authorities should make information about the historic environment, gathered as part of policy making or development management, publicly accessible.' Option 1 of the report complies with paragraph 193, which is a national policy. The Council's own policies should comply with the NPPF, as it is a material consideration.

### 7.3 Diversity and Equality

Implications verified by: **Rebecca Lee**  
**Team Manager, Community Development Team**

There are no direct implications to diversity and equality.

### 7.4 Other implications (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, and Impact on Looked After Children

There are no other implications associated with publication of the Thurrock SAM Assessment of settings

## 8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- Thurrock Scheduled Ancient Monuments: Assessment of Settings – July 2019 (Public Consultation Document):  
([b4be472386c4ec960f16ce79b298f4bf\\_220202\\_Thurrock\\_Scheduled\\_Ancient\\_Monuments\\_Assessment\\_Web.pdf \(amazonaws.com\)](https://s3.amazonaws.com/b4be472386c4ec960f16ce79b298f4bf_220202_Thurrock_Scheduled_Ancient_Monuments_Assessment_Web.pdf))

## **9. Appendices to the report**

- Appendix 1: Thurrock Scheduled Ancient Monuments – Assessment of Settings – April 2023

### **Report Author:**

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