

**From:** Andy Pye

**Sent:** 23 July 2020 17:24

**To:** Matthew Diamond <Matthew.Diamond@exeter.gov.uk>

**Subject:** Redevelopment of the Harlequins Centre. Application no. 19/1556/FUL. Physical impacts on buried and standing heritage assets.

Matt,

My consultation on this is as follows. However, this section only covers physical impacts on buried and standing heritage assets. I will provide comments on other above ground heritage issues such as setting in due course when the additional information requested has been received and is available.

### **Background**

Since the Roman period Exeter has been a major regional centre, and this status and role is reflected in the concentration and significance of its buried remains, as well as of its above ground heritage assets, and as a consequence in the numbers of designated assets it contains.

The Harlequins site lies within the historic core of the city, bounded by the Roman and later city wall (a scheduled monument) on one side and by Paul Street on the other, and falls within the statutory Exeter Area of Archaeological Importance, designated in 1984. However, in common with most historic, yet living and developing, cities, Exeter has experienced substantial 20C development, often involving basements and substantial footings, and the ravages of the WWII blitz. As a result, the extent and quality of survival of buried remains, and of above ground historic buildings and assets also, varies within the city, and indeed within individual sites.

The Harlequins site is a case in point, with post war clearance accounting for the previous standing historic buildings on the site, and buried remains being subject to archaeological trenching of varying intensity in the 1980s, and subsequently to substantial removal by the construction of the basement and extensive footings of the current buildings on the site, as well as more incremental damage due to the provision of the access road along the rear of the city wall and excavations for service runs.

### **Planning background**

Since 1990 the impact of a proposed development on archaeological remains has been a material planning matter, and this has continued, albeit in a modified and rather succinct form, in the NPPF. This is also reflected in the saved policy (C5) and supporting text in the Exeter Local Plan First Review. In practice this includes

- a) The provision of supporting information that is proportionate and sufficient to enable an informed planning decision to be made, in line with NPPF clause 189;
- b) Using this and other relevant evidence and expertise to consider the likely extent, quality of survival and significance of buried remains surviving on the site, the likely impact of the proposed development on them, and whether or not this impact would be acceptable in principle;
- c) Considering whether anticipated impacts on buried remains can be further reduced, and as such made more acceptable, by amendments to the proposed layout, by design of foundations for example, or by mitigation in other forms, such as archaeological excavation and recording, and making the information and data gained public;
- d) Ensuring the implementation and completion of the above, by planning conditions as necessary.

### **Appraisal of the proposed Harlequins scheme in relation to the above**

I have appraised the supporting information provided with the application, including the principal proposal drawings most relevant to buried archaeology (including - general layout, and ground floor / lower ground floor/ basement plans), the as existing layout of the existing 1980s buildings on the site, and the following:

The Heritage impact assessment, including the foundation layout information for the existing buildings and the preliminary foundation proposals for the new buildings;

The appendices to this, including the archive review and the results of the trial trenching; and

The comments from ARCA on the relative efficacy of carrying out geo-archaeological borehole investigations on this site (see section 7, vol 3 of the heritage assessment).

I have also noted the comments made to date by objectors and also by Historic England as one of the principal statutory consultees.

With reference to the above my appraisal and comments are as follows.

**a) Supporting information – buried remains**

Whether this is seen as sufficient needs to be assessed in relation to (i) the likely impact of the proposed development on any buried remains that may have survived the previous ground works on the site, and (ii) current site conditions and the practicalities of access for site investigations. My assessment is as follows.

- (i) In this case, the majority of the proposed new buildings fall within or follow the footprint of the existing 1980s buildings, the main exception being some individual foundation pads or piles supporting cantilevered sections of building in the areas of the current service yard and of the entrance to the Harlequins basement car park. Within the zone to the rear of the city wall, where there will be areas of surviving Roman rampart for example, only new hard and soft landscaping is proposed, with no major groundworks or reductions in level being apparent from the submitted drawings. Therefore the area of greatest direct impact by construction groundworks will be within an area where an extensive basement car park already exists, along with a regular grid pattern of pile caps or foundation pads, and as a result where it is reasonable to conclude that the bulk of buried remains and deposits will have already either been removed or heavily damaged.
- (ii) The majority of the footprint of the proposed new build is currently occupied by standing buildings, and the locations of the new piled footings of the cantilevered sections outside of this footprint coincide with the entrance approach to the underground car park in one case and are within a service yard in the other. As both these are still in use, practical locations for investigative ground works are therefore rather limited, and most have already been exploited for the evaluation trenching that has been undertaken (appendix 2 to Vol 2 of the HIA).

*Archive review*

Whilst the understanding of the results of the previous work on the site could be refined by a more in depth examination of the archives and of previous reports and summaries, this will not in my view affect the basic question, which is whether or not a new development, that is largely within the footprint of an existing one where there has already been substantial removal of remains, is acceptable, with appropriate mitigation.

Instead I advise that further work on the archives and existing material is carried out as part of the mitigation, see below.

*Geo-archaeological borehole investigation*

Similarly, with regard to the issue of a geo-archaeological borehole investigation, the following factors and questions are relevant:

- a) What would its efficacy be on this type of urban site.
- b) How practicable would it be to undertake one at the present juncture, given that most of the site and footprint of the proposed new build is inaccessible due to being covered by standing buildings, and access is required to be maintained around its perimeter to the car park entrance, to emergency exits from buildings, for emergency and service vehicles (given that service yard also serves the occupied buildings fronting Queen Street), and that live services are also present.
- c) In this context, what is the likelihood that such an investigation – in only some very limited locations if at all - would produce any new information of value that may influence the basic planning decision – given that the vast bulk of the new development would occupy a footprint already occupied by the existing 1980s building, basement and substantial foundations.

With regard to these my assessment is as follows:

- a) There are clearly mixed views on this; in my view urban deposits are by their very nature very mixed, particularly where they have also been heavily disturbed and partially redistributed by modern post war development. Whilst it may be possible to distinguish the generally lighter and cleaner Roman deposits, and clay rampart, and the level of natural subsoil strata, distinguishing anything in between the Roman and the most modern is likely to be problematic from borehole cores alone, and inconclusive at best.
- b) Whilst it would be possible to find some locations for boreholes, it is questionable whether these would be in enough of those locations necessary to answer meaningfully any questions about survival of archaeological deposits, particularly as the 1980s buildings occupy most of the footprint of the proposed new build. There has also I understand been a geotechnical borehole survey already, and I have advised that the results of this are assimilated with those of the archive review and evaluation, and are submitted as supplementary information.
- c) Given the site constraints, the basic information already available across most of the site from the archive review and evaluation, and the fact that the great majority of the new build will be within an area already heavily disturbed and damaged by the construction of the present buildings, I do not think that carrying out more borehole surveys at this stage will have any material impact on the planning decision iro impact on any surviving buried remains.

In my view, and in view of the above context and practical site constraints, the supporting information provided is therefore sufficient to inform my advice on the acceptability of the potential impact of the proposed redevelopment on buried remains.

**b) *Significance and impact***

The 1980s work identified and excavated significant remains on the site, including part of the legionary fortress defences, a later Roman civilian aqueduct, the sequence of construction of the Roman city wall and clay rampart to its rear, and a post medieval bell foundry. However, while a zone was left along the rear of the city wall, albeit disturbed by the construction of a new access road and service yard, the archaeological deposits over most of the rest of the site were heavily truncated and disturbed by the new basement, pile caps and pads for the 1980s buildings. The results of the two recent evaluation trenches also indicate that this disturbance extended over a wider area than just the footprint. Whilst it is possible in theory that some pockets of deposits may survive in between some of the 1980s pads and piles, this is impossible to confirm pre determination because of the

standing building, and in any case will be too disjointed and compromised by disturbance to represent any constraint on the principle of redeveloping the current footprint. Any further impact on them by new pile caps for example can be mitigated by archaeological excavation and recording, after the buildings are demolished and floor slabs removed.

Outside the current footprint there are two areas where a limited number of (probably CFA) piles with caps are proposed. Both are in areas behind the main Roman rampart zone along the rear of the city wall, and where nearby evaluation trenches indicate a metre or so of modern overburden over either natural or disturbed deposits. Pile caps typically have a formation depth of around 1100mm, and so on this basis should mostly sit within recent overburden deposits. Any archaeology affected by the pile caps can be excavated and recorded in mitigation, and CFA piles are a recognised method of preserving deeper archaeological deposits in situ.

The rampart zone to the rear of the city wall is to be landscaped. Formation levels for the landscaping can be controlled by condition, to limit any disturbance to significant remains in that area, with archaeological monitoring and recording as necessary. Therefore any significant areas of survival of the Roman city wall rampart that have escaped the 1980s works and subsequent works should be preserved in situ.

**c) Conclusions and conditions**

My conclusion is that the proposed development, given that it is mostly within the footprint of the present 1980s development, and that the remaining rampart zone to the rear of city wall is being left free of development other than landscaping, is acceptable in principle in terms of its impact on any buried remains that may still be present in places, subject to the following planning conditions:

1. The securing of the completion of an approved programme of archaeological work in mitigation of the impact, via the standard **C57/A38 condition** and reason. This should include the integration and publication of the significant results of both the 1980s work and the forthcoming archaeological work relating to this redevelopment, as both are the same site and involve the same remains, and this will provide some public benefit to counterbalance the inevitable harm to the surviving remains that the proposed development will involve in places. I or my successor can provide more detailed guidance on scope in due course.
2. Prior approval of foundation details, landscaping formation levels, and new service trench routes, via the standard **C61 condition** (with amended wording to include the landscaping and service trench elements).
3. Prior approval of the details of the proposed site interpretation panels.
4. Prior approval of a **construction environmental management plan** (CEMP) that includes
  - a) Full integration of the various archaeological tasks and phases of work into the overall construction programme
  - b) Protection and monitoring arrangements and measures for the city wall during the demolition and construction programme, informed by a sufficiently detailed and thorough structural appraisal and survey of the adj length of city wall, including an assessment of the latter's foundations, or lack of, and an assessment of the pressures being exerted on its rear.

### **City wall**

The adj section of city wall forms a retaining wall to the development, as well as being of the highest significance and a scheduled monument. Generally, the original Roman wall seems to have had only the shallowest foundations, and in several places these have been compromised by historical lowering of the external ground level. This has led to sections of the wall collapsing, both in historical periods as well as recently, most recently in the rear yard of the City Gate pub, just down from the present site.

Whilst further information on the environmental impact of the new development on the city wall fabric and condition in terms of potential overshadowing etc has been requested, understanding and protecting the structural integrity of this section of city wall during development works, and afterwards, is of at least equal if not considerably greater importance. Hence the emphasis that should be placed on this in the CEMP above.

The city wall is also very much an under promoted and under-appreciated resource for the city, does not generate any direct income, and the council bears most of the cost of maintenance and repair, which can be considerable. This is an increasing burden in the recent and current financial climate for local government. It is therefore legitimate, as Historic England also suggest, for the council to **seek S106 contributions** from developments directly adjoining the city wall, including this one. This should be towards "the management, maintenance, repair and promotion of the city wall as a public asset and resource".

Regards,

Andrew

### **Andrew Pye**

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