



Mr Terry Burns  
Essex County Council, County Planning  
E2, County Hall  
Chelmsford  
Essex  
CM1 1QH

Direct Dial: 01223 582769

Our ref: P01559985  
Your ref: ESS/34/23/COL

Date: 6 December 2023

[mineralsandwastedm@essex.gov.uk](mailto:mineralsandwastedm@essex.gov.uk)

## **BY EMAIL**

Dear Mr Burns

### **TOWN AND COUNTRY PLANNING ACT 1990 (as amended) TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017**

**Land at Stanway Quarry and east of Colchester Zoo, Maldon Road, Colchester  
Application No. ESS/34/23/COL**

Thank you for your letter of 16 November 2023 regarding the above application for planning permission. On the basis of the additional information, we offer the following advice to assist the Council in determining the application.

### **Summary**

Historic England has considered the additional information submitted with this application. This does not alter our position stated in our previous advice of 24 May 2023. That is, the proposed development would permanently change the setting of the Scheduled Gryme's Dyke, resulting in harm to the significance of a scheduled monument. This is contrary to policy for sustaining and enhancing heritage assets. We consider this should be given great weight in the planning balance.

We continue to recommend the Council should refuse the proposed development on heritage grounds.

### **Historic England Advice**

We provided detailed advice, dated 24 May 2023, relating to the original planning application. Historic England considered the application would cause harm to the significance of a scheduled monument.

We have considered the additional information provided in the Landscape and Heritage Design Statement (Nov 2023). Our position relating to the additional information and in relation to the impact on the significance of the scheduled monument is set out below. We would recommend this should be read together with our previous advice to the Local Planning Authority.

We welcome the revised stand-off - a minimum 50m standoff margin from the western edge of the scheduled Grymes Dyke and the eastern edge of the prior extraction area. This needs to be accurately plotted in relation to the edge of the Dyke, which is not entirely clear from the archaeological assessment.

We note, however, there would be no material changes to the original restoration scheme, other than a revised footprint to reflect the standoff margin to Grymes Dyke. It is stated, “the restoration landform will provide only minor, subtle changes. The final scheme has been modified through consultations, including with Historic England, to create a landform that resembles a shallow valley running down to the Roman river. This is in keeping with the historic landscape” (Section 3.3.2).

We note the further explanatory detail in relation to the restoration contours compared to the existing landform. It is stated on Sheet 14 of the Landscape and Heritage Design Statement (Nov 2023), “During the operational period (without mitigation), mineral extraction will not significantly adversely effect the assessed heritage setting, nor landscape character. At Post Restoration, the changes to the heritage setting and landscape character would not be discernible compared to the existing situation”.

We note also the additional landscaping proposals to define the alignment of Grymes Dyke to assist its appreciation and setting. The proposed new hedgerows, however, would be located along the edge of the scheduled monument (Sheet 9 of the Landscape and Heritage Design Statement, Nov 2023); the proposed hedgerows appear to be in the same location as on the previous iteration.

We continue to recommend that the proposed hedgerows should be (re-) located on the outer edge of the standoff margin, i.e. 50m away from the east and west edge of Grymes Dyke. This is in order to create a wider, open space (for example, of species rich grassland and/or wildflower meadow) and to keep the hedgerows away from the monument. This is in accordance with our previous advice of 24 May 2023.

We have reviewed our position in light of the further information. Our advice relating to this application remains consistent with our previous advice. This is because we have previously advised the restored ground level would need to be significantly increased to reduce the difference between the current and restored levels. We consider the restored ground level needs restored to the original (current and pre-extraction) ground level.

That stated, we would recommend that further, more detailed and larger-scale cross-sections are submitted to show more clearly the change in topography before extraction and following restoration. This is because the contextual landform cross-sections shown on Sheets 11 and 12 (A – D) of the Landscape and Heritage Design Statement (Nov 2023) are of insufficient scale, i.e. too small scale, to enable the altered landform adjacent to the monument to be easily assessed.

In terms of Sheet 9, showing the different landforms, we would recommend that an additional image is provided, at the same scale (and in the same style), to present the as-is landform before extraction. This will enable the before and after landforms to be more easily, and directly, compared.

We consider the topographic setting of the scheduled Grymes Dyke makes a strong positive contribution to its significance, even though the monument is no longer visible as an earthwork. This enables the strategic nature of the scheduled monument's location, and its place in the landscape, to be readily experienced and appreciated. This is important to the setting of the monument and to how the monument's strategic position is experienced and appreciated.

We consider the rural landscape setting of the scheduled Grymes Dyke makes a major positive contribution to the setting, even though the monument is no longer visible as an earthwork. The land to the west of the scheduled monument, that is the proposed mineral extraction and restoration site, forms an important part of the context or setting of this monument.

Our advice reflects guidance in the good practice advice notes produced by Historic England on behalf of the Historic Environment Forum in GPA 3; "The Setting of Heritage Assets". GPA 3 states, "heritage assets that comprise only buried remains may not be readily appreciated by a casual observer. They nonetheless retain a presence in the landscape and, like other heritage assets, may have a setting". GPA 3 also states, "buried archaeological remains may also be appreciated...in relation to their surrounding topography".

The proposed development would permanently change the setting of the scheduled Gryme's Dyke. This would result in loss of significance to the significance of the scheduled monument. The proposed development would result in harm to the appreciation and experience of this heritage asset of the highest significance. This is contrary to policy for sustaining and enhancing heritage assets.

Placing this in terms of the National Planning Policy Framework (NPPF), this would result in less than substantial harm to the significance of a Scheduled Monument. We consider this should be given great weight in the planning balance, in accordance with paragraphs 199 and 202 of the NPPF.

Following this, we confirm our position stated in our previous advice and continue to recommend refusal of this application.

We recommend these representations are taken into account. If you propose to determine the application in its current form, please treat this as a letter of objection, and send us a copy of your report at the earliest opportunity.

Yours sincerely,

**Dr Jess Tipper MCIfA FSA**

Principal Inspector of Ancient Monuments

**Data Protection Act**