

Roger Wand
Department for Communities and Local Government
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Fry Building
2 Marsham Street
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PDRboreholes@communities.gov.uk

24 September 2015

Dear Mr Wand,

Invitation for views on further amendments to permitted development rights for petroleum exploration site investigation and monitoring¹

Thank you for the opportunity to comment on these further proposals.

The Chartered Institute for Archaeologists

The Chartered Institute for Archaeologists (ClfA) is the leading professional body representing archaeologists working in the UK and overseas. We promote high professional standards and strong ethics in archaeological practice, to maximise the benefits that archaeologists bring to society, and provide a self-regulatory quality assurance framework for the sector and those it serves.

ClfA has over 3,300 members and more than 70 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors.

Further amendments to permitted development rights for petroleum exploration site investigation and monitoring

General

ClfA responded to the earlier consultation by letter dated 13 April 2015 (copy attached for ease of reference) seeking to ensure that there were sufficient safeguards in any proposed extension of permitted development rights adequately to protect the historic environment. Those concerns remain in respect of the further proposals to extend permitted development rights.

Specific Questions

Question 1: Do you have views on whether permitted development rights should be amended to extend the period for boreholes for groundwater monitoring for petroleum exploration from six months to twenty four months?

1.1 '[H]eritage assets are an irreplaceable resource' (paragraph 126 of the National Planning Policy Framework). If buried archaeological remains are damaged or destroyed by the drilling of boreholes, that damage will not be ameliorated by the discontinuance of activities. To that extent the period for which a borehole is used is irrelevant.

1.2 However, the longer period (of 24 months) carries with it a risk that further drilling within that period will cause further damage to buried remains and continuing use will cause damage to the wider historic environment (for instance, through visual intrusion and its effect on the setting of heritage assets). Notwithstanding the ability currently to issue an Article 5 Direction, greater protection would be conferred on the historic environment if the exclusion in Class J1(c) of the 2015 GPDO relating to sites of archaeological interest was also included in Class K.

Question 2: Do you have views on whether permitted development rights should be amended to include boreholes for seismic investigation and monitoring for petroleum exploration?

2. Given the risk of harm to heritage assets through seismic investigation, it would be appropriate for the exclusion in Class J1(c) of the 2015 GPDO relating to sites of archaeological interest to be also included in Class K.

Question 3: Do you have views on whether permitted development rights should be amended to include boreholes for the location and appraisal of mine workings for petroleum exploration?

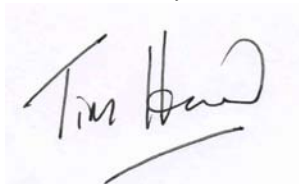
3. See paragraph 1.2 above.

Question 4: We consider that, as well as the benefits in providing public confidence that the environmental impacts of potential petroleum exploration schemes are being properly considered, the proposal could save time for such schemes going forward. What potential cost savings might be achieved were these additional permitted development rights to be realised?

4. No comment.

If there is anything further that I can do to assist please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tim Howard', with a horizontal line underneath.

Tim Howard LLB, Dip Prof Arch
Senior Policy Advisor

¹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/452656/150810_Borholes_PDRs_Govt_response_-_invitation_for_views.pdf