



Historic England

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Planning (South)  
City of Westminster Council

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12 November 2019

Dear Mr Dorward

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)  
NATIONAL PLANNING POLICY FRAMEWORK 2019**

*Installation of the United Kingdom Holocaust Memorial and Learning Centre including excavation to provide a basement and basement mezzanine for the learning centre (Class D1); erection of a single storey entrance pavilion; re-provision of the Horseferry Playground and refreshments kiosk (Class A1); repositioning of the Spicer Memorial; new hard and soft landscaping and lighting around the site; and all ancillary and associated works.*

**Updated Archaeology Advice: Recommend condition for archaeological investigation and public interpretation**

I am writing to update my advice letter of 19th February 2019 in response to your consultation dated 31<sup>st</sup> October following the provision of the Revised Archaeological Desk-based Assessment (Appendix F of the Environmental Statement).

The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to boroughs in accordance with the National Planning Policy Framework and GLAAS Charter. We have liaised with the applicant's consultants throughout the scheme design process, including providing paid for pre-application advice, to ensure that appropriate archaeological information is available to reach an informed planning decision.

Historic England's Development Management advice relating to designated heritage assets has been provided separately in Mr Dunn's letter of 1<sup>st</sup> March 2019.

NPPF Section 16 and the Draft London Plan (2017 Policy HC1) recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration. NPPF paragraph 189 says applicants should



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provide an archaeological assessment if their development could affect a heritage asset of archaeological interest whilst paragraph 194 (footnote 63) says that non-designated heritage assets of archaeological interest which are demonstrably of equivalent interest to scheduled monuments are subject to the policies for designated heritage assets.

NPPF paragraphs 185 and 192 and Draft London Plan Policy HC1 emphasise the positive contributions heritage assets can make to sustainable communities and places. We therefore encourage applicants to identify opportunities for public benefit arising from a site's archaeological interest.

### **Archaeological and historical interest**

As previously noted, Victoria Tower Gardens lies towards the southern end of the Palace of Westminster and Whitehall Archaeological Priority Area (APA); this is a non-statutory planning policy area encompassing Westminster's nationally and internationally significant designated heritage assets and recognises the diverse and highly significant archaeological interests in the area ranging from prehistoric to modern times. The archaeological and historical interests are closely intertwined.

The applicant has provided an updated assessment informed by geophysical, borehole and hydrological surveys in order to better understand the effect of the proposed development on archaeological remains beneath Victoria Tower Gardens. In addition to the updated assessment submitted to the Council I also received the final Geoarchaeological evaluation report (dated November 2019) direct from the applicant's archaeological consultant on 11<sup>th</sup> November.

However, it has not been practical to excavate trial trenches due to the great depth of overburden, height of the water table and disturbance this would cause to the public park. I am nonetheless content that the deposit modelling now available is sufficient to allow an informed assessment of archaeological significance and harm.

### **Significance**

Victoria Tower Gardens was first established in the early 1880s (later extended southwards). Historic maps and geophysical survey indicates that just below the modern ground surface there are likely to survive remains of Victorian/Edwardian paths, planting beds and other garden features. These remains reflect the evolving use and layout of the grade II registered garden but being recent they only have limited potential to advance understanding of the designed landscape.

Victoria Tower Gardens was built astride the 17th to 19th century river frontage documented from historic maps, geophysical survey and geoarchaeological investigation. The remains of land reclamation deposits, river walls, wharves and associated commercial and industrial premises are expected to survive beneath 1.2m topsoil imported to create the park. The eastern side of the gardens lay within the river until the modern embankment was built shortly before WW1. Given the lack of 20th century disturbance this could be one of the best preserved sections of post-medieval riverfront in London with the potential for substantial buried remains of masonry and timber – the deposit model indicates 2-3m of post-medieval



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'made ground' under the park topsoil. Documentary evidence indicates commercial wharfs involved in the supply of building materials and equipment as well as services presumably serving the expanding West End as well as Whitehall and Westminster itself. Archaeological investigations of the Roman and medieval City of London have been highly productive but much less work of this nature has been done in Westminster. These remains are therefore judged to be significant but not demonstrably equivalent to a scheduled monument.

The geoarchaeological deposit model shows 2 to 3.5m of mainly riverine or wetland deposits beneath the post-medieval made ground. During the medieval period up until the mid-17<sup>th</sup> century the application site lay just to the south of the Abbey and Palace of Westminster along the river bank and foreshore at the mouth of the Tyburn River. The site occupied the river frontage of the Abbey's 'Sanctuary' (an area of protection from the law) which may reflect the greater precinct of the Anglo-Saxon Abbey. A substantial medieval stone-built river wall found in Black Rod's garden may extend south into the northern part of the gardens which also either cover or lie close to the sites of Westminster Abbey's Mill, St. Peter's Wharf and a slaughterhouse. The small excavation in Black Rod's Garden demonstrated high potential for well-preserved waterlogged new discoveries (e.g. sunken boats, wharves and jetties). Thus the northern part of the gardens has clear potential to contain buried remains of equivalent significance to a scheduled monument. In contrast the southern part of the gardens is not thought to have been developed at this time. Millbank may have been constructed along the site's western edge and the foreshore across the remainder used for river-based activities. Thus whilst there is potential for significant medieval discoveries under the southern part of the gardens the risk of encountering remains equivalent to a scheduled monument is lower than in the northern part.

The site has been shown to have pre-medieval riverine deposits containing significant evidence for past environments, although the potential for pre-medieval structural or artefactual evidence is harder to judge. It is known that the Thames provided a focus for settlement and religious practices including the construction of timber bridges and jetties and the ritual deposition of valuable objects and human remains. The most notable nearby discoveries are of the outstanding Iron Age 'Battersea Shield' and 'Waterloo Bridge Helmet', both now top exhibits in the British Museum. Archaeological finds, palaeoenvironmental analyses and radiocarbon dates indicate that the 2-3.5m of alluvial (riverine) deposits beneath the post-medieval made ground built up over a long time period from the end of the last Ice Age (c 10,000 BC) to the late medieval period. From later prehistoric times at least the site would have been wetland and/or river foreshore with the base of the sequence lying 0.5 to 3.5m below modern sea level. Nevertheless, sea levels have risen since the end of the last Ice Age and highly significant prehistoric remains can be found in such river edge locations. The deep alluvial deposits have been shown to contain peat and other organic remains with high potential for reconstructing the environmental context of the site whilst the geoarchaeological work contributes to wider study of the evolution of the Thames. Thus there is clear potential for significant pre-medieval remains and whilst there is no specific evidence for anything of equivalent significance to a scheduled monument the risk of such a discovery is more than negligible.



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## Harm

Pre-application consultation resulted in the proposed basement being located in the southern and central parts of the gardens where deep excavation poses a relatively somewhat lower archaeological risk than the northern part where the risk would have been very high. This approach to reducing the risk of harm is supported by the updated archaeological assessment.

The submitted information indicates that principal harm to heritage assets of archaeological interest will arise from construction of the piled wall and excavation of the basement leading to total loss of all remains within the basement footprint. There is also potential for harm from removal of surface topsoil/subsoil across the whole site and from changes to groundwater conditions causing medium-long term degradation of waterlogged deposits (including timber structures).

The applicant's Environmental Statement (ES) identifies a risk of major adverse impact from the construction of the deep basement which can be mitigated to a negligible impact by archaeological investigation. I cannot agree with this formulation because paragraph 199 of the NPPF says that the ability to record evidence of our past is not a factor in deciding whether loss should be permitted. It is therefore not valid for the ES to conclude that mitigation in the form of archaeological investigation would reduce harm from moderate/major adverse to negligible. A moderate adverse impact seems the most plausible outcome.

The ES also identified a major or moderate adverse impact from dewatering during construction but I am satisfied that 'Dewatering Note' provided as appendix I in the revised desk-based assessment clarifies that dewatering will not affect the parkland outside the new basement and therefore there should not be any adverse dewatering impact.

The ES does not assess any archaeologically related benefits arising from the scheme but the desk-based assessment does note that it could provide opportunities for public engagement events and outreach programmes. I agree, and if secured and implemented to a good standard I consider they could provide a minor positive benefit.

## Conclusion and Recommendations

The Holocaust Memorial and Learning Centre is designed to deliver great social and cultural benefits by reminding us all of one of the greatest crimes and tragedies of human history. Our advice has always been aimed at helping achieve this outcome in a way that appropriately respects this nation's archaeological heritage.

The construction of a substantial basement in this archaeologically sensitive location will inevitably harm undesignated heritage assets of archaeological interest. The scheme's promoters have now provided sufficient information to assess the likely risk. The known archaeological assets affected are non-designated assets to which paragraph 197 of the NPPF would apply requiring a balanced planning judgment having regard to the scale of harm and significance of the asset. This would include recognising that there is still a low residual risk of harm to as yet undiscovered non-designated heritage assets of archaeological interest



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equivalent to a scheduled monument arising from the sensitivity of the location and the impracticality of digging deep trial trenches there. It would also involve providing for the public interest in a major excavation in a highly public place. I therefore recommend attaching a condition based on that recommended in Historic England's GPA2 to any consent as follows:

*No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. No groundworks shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and*

*A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works*

*B. Details of a programme for delivering related positive public benefits*

*C. A method statement for protecting buried remains outside the basement footprint during the construction period*

*D. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI*

#### *Informative*

*The written scheme of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. It should include a contingency arrangement in case of the unexpected discovery of archaeological remains of national significance. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.*

This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme. If the applicant does not agree to this pre-commencement condition please let us know their reasons and any alternatives suggested. Without this pre-commencement condition being imposed the application should be refused as it would not comply with NPPF paragraph 199.

I envisage that the archaeological fieldwork would comprise archaeological excavation of the basement footprint down to the natural gravel. Outside the basement footprint in the construction and landscaping area the significant archaeology begins at a depth of c1.2m and should be preserved in-situ beneath temporary works and permanent landscaping. Public benefits should cater for a variety of audiences and might take the form of a viewing platform with interpretation, media involvement, off-site talks, educational involvement and perhaps permanent site-based interpretation of some kind.



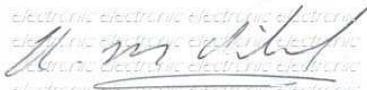
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Please note that this response relates solely to archaeological considerations. Historic England's Development Advice Team has responded separately regarding statutory matters.

Yours sincerely



Handwritten signature of Sandy Kidd, Principal Archaeology Advisor (GLAAS), London and South East Region.

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