

ELECTRICITY ACT 1989

THE MID WALES (POWYS) WIND FARMS PUBLIC INQUIRY

The Electricity Generating Stations and Overhead Line (Inquiries
Procedure) (England and Wales) Rules 2007

**SESSION 3: Application by SP Manweb plc, dated 2
December 2009 for consent under Section 37 of the
Electricity Act 1989 to install and keep installed a 132 kV
overhead electric line connection from the proposed
Llandinam Wind Farm to Welshpool Substation**

SUMMARY PROOF OF EVIDENCE: HISTORIC ENVIRONMENT

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On behalf of Powys County Council

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1. Qualifications and Experience

- 1.1. My name is Andrew Croft. I am an Associate Director in Atkins Ltd. I am a professional heritage consultant with a BA in Archaeology and Prehistory and a MA in Landscape Archaeology. I have over 18 years experience in archaeology, heritage management and environmental planning.
- 1.2. Atkins was appointed by Powys County Council (PCC) in February 2013 to provide advice on heritage matters in connection with a number of wind farm proposals and related applications.

2. Scope of Evidence

- 2.1. The application is for consent to install and keep installed a new 132 kV overhead line over a distance of 35 km and within a 100m corridor from Llandinam Repowering Wind Farm to the Welshpool Grid Substation. My evidence is concerned with the impact on the historic environment of the proposed development and, in particular, the impact of the proposals in the Kerry Hills area.

3. Overview of Legislative and Planning Policy Context

- 3.1. In terms of policy and guidance the following points should be noted:
 - 1) The conservation of the significance of heritage assets is a key aim of policy;
 - 2) The significance of an asset derives from its physical presence and its setting;
 - 3) The significance of an asset can be harmed or lost through alteration or destruction of the heritage asset or development within its setting;
 - 4) Change to the setting of an asset can therefore be harmful to its significance;
 - 5) There is a presumption in favour of the conservation of the significance of designated heritage assets and the more important the designated heritage asset e.g. Scheduled Monuments and Grade I and II* listed buildings, the greater the presumption should be;
 - 6) Some non-designated assets can be considered to be of equal value to designated assets;
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- 7) Substantial harm to, or loss of, a grade II listed building or park or garden should be exceptional;
- 8) Substantial harm to, or loss of, designated assets of the highest significance, e.g. Scheduled Monuments and grade I and II* listed buildings, should be wholly exceptional;
- 9) Any harmful impact on the significance of a designated heritage asset, whether Substantial Harm or Less than Substantial Harm, should be weighed against the public benefit of development. The greater the harm, the greater the required justification will be;
- 10) Where the application will lead to substantial harm to or total loss of significance of a designated heritage asset consent should be refused unless the harm or loss is necessary in order to deliver substantial public benefits that outweigh that loss or harm;
- 11) New above ground electricity lines can give rise to adverse landscape and visual impacts and hence can affect the setting of heritage assets; and
- 12) Visual and landscape impacts and effects, including changes to the visual setting of heritage assets, can give rise to serious concerns and be unacceptable in planning policy terms. As set out in EN-5, in these situations undergrounding of electricity lines should be considered.

4. Setting and the Assessment of Harm / Impacts

4.1. Setting has been the subject of considerable debate and discussion. In terms of current approaches there is a high degree of similarity in definitions across policy and guidance in Wales and England. Cadw's "Conservation Principles" (2011) defines it as:

"The surroundings in which an historic asset is experienced, its local context, embracing present and past relationships to the adjacent landscape."

4.2. The National Planning Policy Framework for England, the terminology of which underpins EN-1 Overarching National Policy Statement (NPS) for Energy, July 2011, defines setting as:

"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."

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- 4.3. PPS5 Planning for the Historic Environment: Historic Environment Planning Practice Guide, (March 2010) which still supports NPPF and hence EN-1 further expands on this definition.
 - 4.4. These definitions indicate that the setting of a heritage asset must be considered beyond purely visual matters and that the proper exploration of setting needs to encompass a more rounded consideration of how an asset is currently experienced and understood in the landscape and how it has been experienced and understood in that landscape since its creation. In this regard, the English Heritage document '*Guidance on the Setting of Heritage Assets*' is relevant to the Inquiry in terms given its relationship to EN-1 and its status as accepted good practice.

Harm

- 4.5. EN-1 requires the assessment of a proposal to determine if it would cause "Less than Substantial Harm" or "Substantial Harm" to the significance of an asset or "Total Loss" of an asset's significance.
- 4.6. Minor and Moderate Adverse Effects (Impacts) identified in the Applicant's Environmental Statement would equate to Less than Substantial Harm.
- 4.7. The Major Adverse Effect (Impact) criteria set out by the applicant could be taken to equate to Substantial Harm and represents in the applicant's advisor's view a serious concern. However, I believe that whilst Major Adverse Effects (Impacts) identified by the applicant can in some cases be taken to equate to Substantial Harm, the criteria for Major Adverse Effects (Impacts) are relatively broad and encompass some changes that would, in my view, be considered to equate to Less than Substantial Harm.

5. Review of Route Options

- 5.1. All three potential routes (C, D and E) presented by the applicant in the 2013 Environmental Statement would result in some harm to the historic environment. The key differentiating issues between Routes C, D and E relates to the potential impacts of Route C on the Registered Historic Parks and Gardens and Scheduled monuments along the River Severn corridor and the lesser impacts of Route D on the scheduled monuments around the Glog and Black Gate area and listed buildings north of Kerry.
 - 5.2. Based on a high level analysis, Route D would have been preferred in historic environment terms over Route E but further more detailed analysis of the potential impacts of Route D over Route C would be required to differentiate between them. Route E was the applicant's preferred route.
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6. Proposed Scheme and Impacts

- 6.1. The 2013 updated Environmental Statement for the proposed scheme identifies a large number of significant environment effects resulting from impacts on the setting of designated heritage assets.
- 6.2. The 2013 Environmental Statement records Major Adverse Effects / Impacts on seven Scheduled Monuments, seven Grade II listed buildings and two non-designated sites of national importance. The affected assets are:

Scheduled Monuments

- Bryn Cwmyrhiwdre Round Barrow (MG280)
- Crugyn Bank Dyke (MG062)
- Two Tumps Dyke (MG063)
- Barrow west of Cae-Betin Wood (MG257)
- Forden Gaer Roman Site (MG012)
- Great Cloddiau Camp (MG169)
- Henfron Moated Site (MG220)

Listed Buildings (all Grade II)

- Cilthrew (17306)
- Farm building at Cilthrew (17307)
- Outbuilding at Cilthrew (17308)
- Upper Maenllwyd farmhouse (17304)
- Caerhowel Smithy (7999)
- Former Retort House (19506)
- Rhydwhiman Crossing Cottage (LB87275)

Non-designated asset of National Importance

- Black Gate Enclosure (1896)
- Cuckoo Hall hillfort (1822)

- 6.3. The 2013 Environmental Statement also records Moderate Adverse Impacts on a further sixteen Scheduled Monuments (including 10 individually scheduled lengths of Offa's Dyke), one Grade II* listed building, eight Grade II listed buildings, one Registered Park and
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Garden and one Registered Historic Landscape. These impacts constitute Less than Substantial Harm.

- 6.4. Many of the adverse impacts occur in the Kerry Hills area which has been recognised through the LANDMAP process as being of “outstanding” value and a “... *prehistoric landscape of key importance*”.

The Kerry Hills Area

- 6.5. The development of the line in this area would, according to the applicant’s own Environmental Statement, result in significant adverse environmental effects due to the impact of the line on the setting of designated and non-designated heritage assets of national importance. These assets form part of the area’s historic landscape.
- 6.6. The following table summarises the impacts and scale of harm:

Asset	Impact in Environmental Statement	Level of harm
MG280 Bryn Cwmrhiwdre Mound – scheduled barrow	Major Adverse	Substantial Harm
MG121 Glog Round barrows – eight separate monuments scheduled under a single designation	Moderate Adverse	Less than Substantial Harm
MG122 Crugyn Round Barrows – five separate monuments scheduled under a single designation	Moderate Adverse	Less than Substantial Harm
MG048 Two Tumps – two scheduled barrows	Moderate adverse	Less than Substantial Harm
MG257 Barrow west of Cae-Betin Wood – scheduled barrow	Major Adverse	Less than Substantial Harm
MG062 early medieval cross dyke – scheduled monument	Major Adverse	Substantial Harm
MG063 early medieval cross dyke – scheduled monument	Major Adverse	Substantial Harm
Banc Gorddwr round barrow (RD250) and putative Crugynau Round Barrow (MG109) - scheduled monuments	Moderate Adverse	Less than Substantial Harm
Black Gate Enclosure (1896) – non-designated asset of national importance	Major Adverse	Substantial Harm

- 6.7. The harm caused to individual monuments is notable in its own right. It also has to be seen on the context of the harm to the wider historic landscape. These monuments form part of wider “*prehistoric landscape of key importance...*”and a landscape “...*with significant early*

medieval influence.” That landscape is in this area largely uncluttered with modern development and is open in character. This enables modern people to experience, view and understand the monuments within that landscape and relationships between them, the topography, watersheds and movement routes. The uncluttered open nature of the landscape is important to its value and the setting and significance of the monuments. The development of the OHL through the area would introduce a very notable and visually intrusive feature that would degrade the character and quality of the landscape and disrupt the setting of a number of important assets.

- 6.8. The overall scale of impact and harm is contrary to local and national policy in Wales. Guidance contained in EN-1 identifies the need to safeguard the significance of designated and non-designated assets and also identifies that Substantial Harm to scheduled monuments should be “wholly exceptional”.

Underground Alternatives

- 6.9. EN-5 makes it clear that where there are “serious concerns” then there should be a consideration of undergrounding to address these concerns. It is my view that when Substantial Harm occurs due to visual and landscape impacts on the setting of a designated heritage asset then this should be considered a “serious concern”. Given this, it is appropriate that undergrounding of the route in the Kerry Hills area should be considered to mitigate the potential harm. Two options for undergrounding have been identified. Either of these would reduce the harm and lessen conflict with local and national policy. Depending on the chosen option a degree of harm and impact would remain and this would need to be set against the public benefits of the project.

Other Affected Assets

- 6.10. As summarised in the following table, the other Major Adverse effects / impacts set out in the Cultural Heritage chapter of the Environmental Statement would not result in Substantial Harm. Further details of my analysis can be found in Appendix E.

Asset	Impact in Environmental Statement	Level of harm	Potential for further mitigation
Scheduled Monuments			
Forden Gaer Roman Site (MG012)	Major Adverse	Less than Substantial Harm	Yes, planting
Great Cloddiau Camp (MG169)	Major Adverse	Less than Substantial Harm	Yes, planting
Henfron Moated Site (MG220)	Major Adverse	Less than Substantial Harm	Yes, planting and local realignment
Listed Buildings (all Grade II)			

Asset	Impact in Environmental Statement	Level of harm	Potential for further mitigation
Cilthrew (17306), Farm building at Cilthrew (17307), Outbuilding at Cilthrew (17308)	Major Adverse	Less than Substantial Harm	Yes, planting
Upper Maenllwyd farmhouse (17304)	Major Adverse	Less than Substantial Harm	Yes, planting and local realignment
Caerhowel Smithy (7999)	Major Adverse	Less than Substantial Harm	No, planting proposed
Former Retort House (19506)	Major Adverse	Less than Substantial Harm	Not required
Rhydwhiman Crossing Cottage (87275)	Major Adverse	Less than Substantial Harm	Not required
Non-designated asset of National Importance			
Cuckoo Hall hillfort (1822)	Major Adverse	Less than Substantial Harm	Not required

7. Conclusions

- 7.1. It is evident that impacts on the historic environment were not a particular consideration in taking the decision to pursue Route E over Routes C and D. Route E, the Applicant's preferred route, is undoubtedly the poorest performing of the three routes in terms of its impact on the historic environment.
- 7.2. The OHL route through the Kerry Hills area, associated only with Route E, results in a scale of harm that, in accordance with Welsh national policy, local policy and overarching policy in EN-1 and EN-5, should only be contemplated in exceptional circumstances.
- 7.3. The value of the historic landscape and associated monuments in the Kerry Hills area is of note at a national and regional level. The scale of harm to the assets and the historic landscape of which they are an intrinsic part raises serious concerns in terms of the guidance contained in EN-5.
- 7.4. In this context, and in the context of a wider need to deliver renewable energy in a timely manner, Powys County Council has identified a mitigation option in the form of a stretch of undergrounding. My assessment of this option indicates that it would considerably lessen the impact of the proposal on the historic environment and hence lessen its conflict with policy. I have also assessed the applicant's own longer option for undergrounding. This would further reduce harm and lessen conflict with policy.
- 7.5. It is my view that the cultural heritage impacts in this part of the route would be very significant resulting in substantial harm to the significance of assets of national importance which should be avoided if at all possible.