

CHAPTER 6: CULTURAL HERITAGE

INTRODUCTION

Assessors

6.1 This Variation of Consent application to the cultural heritage assessment, like the main ES material, was written by S.N. Collcutt *MA(Hons) DEA DPhil FSA*, A.P. Johnson *BA(Hons) PhD*, and M.R. Petchey *MA DipArchaeol MClfA*. OAA were incorporated as a cultural heritage consultancy company in 1987; since 2004, they have conducted a significant number of impact assessments of wind energy proposals across England, including, where required, the provision of expert evidence at public inquiry.

Background Parameters

6.2 The Application Site is centred at NGR TF 205 457 and lies within the District of North Kesteven. The land is in arable use. The consented layout involves 22 turbines (125 metre maximum height to blade-tip) and their supporting site infrastructure (DECC reference: 12.04.09.04/31C). The current Application for Variation of Consent involves the same turbine layout and maximum height to blade-tip but with an increased rotor-diameter to hub-height ratio and some modifications to infrastructure, in particular parts of the onsite access tracks, the substation footprint and location, the relocation of the temporary construction compound to an area of existing hardstanding, underground cabling route and the application of a micro-siting buffer (as described in detail in **Chapter 3: Details of the Variation** and shown in **Figure 3.2**).

6.3 The assessment as a whole (the original text and the present Variation of Consent application) addresses the full range of cultural heritage matters, that is, archaeology and associated palaeoenvironmental material, built cultural heritage features and Historic Landscape. The original Environmental Statement chapter is supported by a Cultural Heritage Technical Statement (with attachments), containing the full details of all procedures and data used and judgements made. The present Variation of Consent application covers any significant changes since the original ES.

6.4 In respect of potential direct (fabric) effects, a study area within a radius of 2 km (sometimes wider as comparisons have been required) has been used.

6.5 In respect of potential indirect (setting) effects, a study area comprising a number of 'concentric bands' has been used. Within 2 km of the centre of the Application Site, all cultural heritage assets (whether or not formally designated) have been considered. All more important standing assets (including Scheduled Monuments and Listed Buildings of Grades I and II*) have been considered out to a radius of 10 km. Thereafter, after due examination of the standard cultural heritage databases (including the National Heritage List and the County Historic Environment Record), any intrinsically more prominent or sensitive asset has been assessed, effectively out to a range of approximately 15 km.

METHODOLOGY

Standards

6.6 The present document has been compiled as part of an Environmental Statement under the Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2000 (as amended). As before, all relevant professional standards have been met, as have the requirements of the Planning Practice Guide.

Consultation

6.7 The following organisations were consulted through an earlier draft of the present text:

- North Kesteven - Heritage Trust of Lincolnshire;
- Boston - Heritage Trust of Lincolnshire;
- Lincolnshire County Council - Historic Environment Manager; and
- English Heritage.

Assessment Criteria – Archaeological Fabric

6.8 The likelihood of intersection of the consented development works with buried archaeological features has been assessed in the original ES, taking into account existing documentary and historical records, cartographic evidence, aerial photographs and satellite imagery (cropmarks caused by underlying features), and field evaluation (geophysical survey, using magnetic susceptibility and gradiometry to 'image' underlying features); a further programme of geophysics has addressed the main changes in access routes and cabling route involved in the proposed variation. All relevant sources have been re-checked for the purposes of the present Variation of Consent application (see below). The heritage 'importance', or 'sensitivity', of the most probable categories of remains has been assessed against the criteria laid down in the County and Regional Archaeological Resource Framework & Agenda. The magnitude of impact from direct (fabric) effects (normally irreversible) is a function of the degree of destruction of information that would result from development in the absence of mitigation.

Assessment Criteria – Setting

6.9 The criteria used for assessing the contribution of setting to the heritage-significance of relevant assets and the likely effects upon this contribution from the development were set out in detail in the original ES and its supporting Cultural Heritage Technical Statement. The applicable national policy for the historic environment was then PPS5, supported by various practice guidelines from English Heritage. This policy was subsequently taken forward to the National Policy Statement for Energy (EN-1 and also EN-3), which is still in force. PPS5 has now been replaced by the National Planning Policy Framework (NPPF), supported by the Planning Practice Guide (web-based resource). Whilst the details of advice have evolved, the thrust of the national policy matrix for the historic environment has not changed since the original ES (as stated explicitly in the NPPF Impact Assessment) and the methodology is still fit for purpose. To aid the reader here, it is noted that, in this methodology, effects classified as 'Major' or above would be considered to be 'EIA-significant' effects and, if adverse, to constitute 'material harm' (noting, in passing, that no such effects were found in the ES).

6.10 This having been said, it is necessary to note that, since the ES, there has been considerable clarification on proper procedures from the courts, especially with respect to the statutory duties for the decision-maker, in respect of a “*development which affects a listed building or its setting*” to have “*special regard to the desirability of preserving the building or its setting*” at s.66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990; there is a similar duty at s.72(1) of the Act concerning Conservation Areas.

6.11 The leading Court of Appeal case in this matter is that known as *Barnwell Manor*, in which it was found, amongst other things, that “*considerable weight*” should be given to any material harm to the heritage-significance of such designated assets. The *Barnwell Manor* judgment is complex and need not be discussed in full here. Lindblom J has given a summary of how these duties should be approached in the subsequent High Court case known as *Forge Field*:

“49. This does not mean that an authority’s assessment of likely harm to the setting of a listed building or to a conservation area is other than a matter for its own planning judgment. It does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognize, as the Court of Appeal emphasized in Barnwell, that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. It is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.”

6.12 It is re-iterated that the duties noted above are proper to the decision-maker. However, since the assessment of harm to heritage assets is fundamentally and inextricably involved with effects upon heritage-significance, it is appropriate for the heritage assessor to seek to assist. Thus, whilst the courts have greatly clarified these matters in the recent cases, the present assessors (in the original ES as well as in the work undertaken for this Variation of Consent application) have already weighted – and weighted to a considerable degree – the assessment of Listed Buildings (of all Grades) and Conservation Areas to reflect what we had always understood to be the ‘specialness’ of such assets and the resulting desirability of keeping them from harm. In our submission, giving ‘considerable weight’ is a process, not an afterthought; we respectfully request that the decision-maker check to make sure that we have weighted our assessment correctly.

BASELINE

Policy Matrix

6.13 The North Kesteven District Local Plan (adopted 2007) has the following policies (saved in September 2010) relevant to the main cultural heritage topics here at issue: Policies HE1-3, 5 and 7.

6.14 The Central Lincolnshire Local Plan (which might contain some strategic policies of interest) was due for October-November 2014 as a consultation draft but has not yet appeared; adoption is currently timetabled for November 2016.

6.15 In respect of the cultural heritage, the statutory Development Plan appears fully consistent (as far as it goes) with the detailed expression of national policy set out in the NPPF.

Archaeological Fabric

6.16 There are no designated cultural heritage assets within the Application Site.

6.17 As noted in the original ES, the most likely type of archaeological site, one which is common in this fenland context, would be one or more salterns (salt-making sites) from the Iron Age to Roman periods; traces of Roman pottery and briquetage (ceramic used in salt-making) and at least one suggestive magnetic susceptibility locus are already known within the Application Site. For the post-Medieval period (during and after drainage of the fens), the sites of former pumping windmills are known around the periphery and there is one large cropmark of a duck decoy; the latter has already been avoided by design.

6.18 A geophysical survey (magnetic techniques) was carried out as part of the original ES, which covered the subsequently Consented groundworks footprint. A further phase of magnetometry was carried out (to minimise crop damage and avoid worsening weather/light conditions) in November 2014 in response to the evolving variation proposals. This 2014 work covered most of the new south-western access track line (together with the relevant micro-siting zones) and also a block of land at that time suggested for the substation; the latter has now (since the geophysical survey and since the subsequent consultations noted above) been moved in the proposed variation to a location to the south-east (see below). Overall, the 2014 survey (attached here as **Appendix 6.1: 2014 Geophysical Survey**) has reported:

- *The survey has not identified geophysical anomalies that conceivably reflect archaeological remains.*
- *For the most part, magnetic variation relates to natural features, buried services and miscellaneous modern ferrous-rich debris.*

6.19 It is proposed that the substation be relocated to occupy a square of land in the south-eastern part of the Site, on the east side of the main farm access (Six Hundred Drove). The north-western quadrant of this area is currently occupied by a barn and an agricultural hardstanding (to be removed prior to the emplacement of the substation). It may be noted, in passing, that these modern features (and wider magnetic contamination from them) render the area unsuitable for geophysical survey. The new location is just to the west of the original (pre-1818) Six Hundreds Farm (subsequently the ‘Manor House’, before its quite recent demolition); the former buildings lay within what is now a block of plantation. The substation would occupy the western end of what was the ‘front garden’ (possibly originally somewhat gentrified as a small block of parkland reaching to the drove, as seen on OS maps) but little of archaeological interest is likely to survive today. Some 75 m beyond the new substation location to the south, winding back and forth across the drove, there is a major buried meander (the cropmark of which is seen on satellite and aerial photograph images) of the former wetland drainage in the area. There is no strong evidence as to the age of this natural feature, although it is not obviously associated with the distinctive traces of tidal creeks

(seen elsewhere across the Site) and this meander channel may therefore be comparatively late (Mediaeval or post-Mediaeval). Such a feature might have attracted some activity along its banks but the proposed substation area will be far enough away not to pose any heightened archaeological risk on this count. There is nothing else near the revised position for the substation on aerial/satellite images or on historic maps or as known finds in the Lincolnshire Historic Environment Record (HER). We conclude that the lack of suggestive information in all available databases is sufficient to characterise the potential of this small area as no higher than the general background.

- 6.20 The turbines are to be connected through underground cabling trenches that will run adjacent to the onsite access tracks. These areas form part of the 'Access and Cabling Zone' identified on Figure 3.1. The geophysical survey carried out as part of the original ES included most of these areas.
- 6.21 The underground cabling route that runs south from T20 and into the substation will measure up to 2m in width, and will run alongside the field boundary directly to the east of the existing Six Hundred Drove access track as shown on **Figure 3.2**. As the access track between T20 and the substation is an existing track that will remain as it is, this section does not form part of the Variation of Consent application. Judging from the information in the Cultural Heritage Technical Statement (Appendix 6.4 of the original ES) and from re-examination of cartographic material and available satellite and aerial photograph imagery, there is no evidence of any archaeological features along this cabling route.
- 6.22 The grid connection route is currently subject to a separate application.
- 6.23 No entries additional to those assessed in the ES appear on the Lincolnshire HER in respect of the Consented Site and its immediate environs. No additional photographic prints or digital scans covering the relevant area have been archived in the National Library of Air Photographs (English Heritage). No additional historic maps are referenced in the Record Office or other relevant archive.

Setting

- 6.24 Falling within 10 km of the centre (NGR TF 204 457) of the Application Site, a total of 15 Scheduled Monuments (2 of them more distant still) and 206 Listed Buildings (and an additional 11 more distant still) were considered in the original ES (through the standard documentation for designated assets, as well as by means of additional mapped and satellite archives) in the setting assessment. All the Scheduled Monuments, the higher Grade (I and II*) Listed Buildings and all assets within 2 km were field-assessed (all of them on at least two separate occasions).
- 6.25 The Technical Statement accompanying the ES chapter contains detailed descriptions and discussion of significance for all the cultural heritage assets mentioned below.
- 6.26 The ES reported explicitly on one Scheduled Monument (SM) lying within c.2.5-5 km of the centre of the proposed development and a further ten SMs beyond the 5 km radius (included in the assessment at the specific request of consultees on the original scheme).
- 6.27 Within c.5 km of the centre of the proposed development, the ES reported explicitly upon one Grade I Listed Building (LB), one Grade II* LB and two Grade II LBs. Further LBs, well beyond the 5 km radius, were included in the explicit assessment (sixteen Grade I and three Grade II*), again at the specific request of consultees

- 6.28 Three non-designated assets (with potential standing elements), included in the Lincolnshire Historic Environment Record, lie within c.2 km of the centre of the proposed development.
- 6.29 There are no Conservation Areas (CAs) within 2 km of the Application Site boundary. However, the Heckington Village and Heckington Station CAs contain higher-grade Listed Buildings that fall to be assessed and, in the interim since the original ES, have become the subject of a Draft Conservation Area Appraisal (2013); this Draft has been examined for any relevant issues additional to those covered in the ES.
- 6.30 No designated assets additional to those assessed in the ES appear on the National List. No additional upstanding non-designated assets appear on the Lincolnshire Historic Environment Record. As previously stated, there are no adopted 'lists of locally important buildings' from North Kesteven or Boston Districts.

ASSESSMENT OF EFFECTS

Archaeological Fabric

- 6.31 The potential for archaeological effects will not be increased by the proposed variation. Any examples of salterns found within the Application Site would be considered to be archaeological sites of local significance, possibly of regional significance were one to survive in an unusually complex form and/or with good survival of organic remains.

Setting

- 6.32 The matter of the potential effects of development upon the setting contribution to the heritage-significance of assets was covered in detail in the ES and its supporting Cultural Heritage Technical Statement. All 'non-negligible' effects found are summarised in **Table 6.1** below.
- 6.33 In this flat context (and given the woodland screening of the temporary construction compound and the hedging for the substation), potential indirect effects (via setting) may arise only from the turbines themselves. The proposed variation involves the same number, location and tip-height for the turbines. The only other potential change is therefore the slight rebalancing in (perceived) massing with the shorter towers (lower hub height) but wider rotor-diameter, a change which, in any case, is not greatly relevant to the cultural heritage setting issues in play at Heckington Fen.
- 6.34 All the assets in **Table 6.1** have been reconsidered in light of the proposed variation but no likelihood of a change (increase) in effect upon heritage-significance has been found in any given case. By way of demonstration, four photowirelines showing the current proposal are included here (**Figure 6.1, Views 1-4**) and can be compared with the equivalent visualisations in the ES. Even from the closest viewpoint (View 4 from the former St John the Baptist Church), the change will have negligible relevance in cultural heritage terms. A basic check has also been performed on all standing assets reported in the ES but each remains unlikely to receive more than a negligible effect from the development under the proposed variation. It is reiterated (see above) that these conclusions have been reached using the yardsticks (including the weight afforded the special interest of the asset) appropriate to the provision of support to the decision-maker in the statutory duty to "have special regard to the desirability of preserving" the setting of the Listed Buildings in this asset set.

- 6.35 As noted above, there is now a Draft Conservation Area Appraisal for Heckington Village and Heckington Station CAs; this Draft has been examined and no issues in respect of potential long-distance setting effects additional to those covered in the ES have been identified.
- 6.36 No other development projects are known to the present assessors which might combine with the Heckington Fen proposed variation to give cumulative impact. The existing Bicker Fen wind farm has already been included in the baseline.

Inspector's Report (2012)

- 6.37 The original Application was subject to a public inquiry, resulting in a *Report to the Secretary of State for Energy and Climate Change* (November 2012). The conclusions of the Inspector (accepted in full by the Secretary of State in February 2013) in respect of cultural heritage matters provide a material 'benchmark' for the assessment of the potential effects of the currently proposed variation. These conclusions were as follows:

"270. As part of the visual impact I turn now to the effects on cultural assets, a matter not contested by the Council, but advanced by local residents. The main concerns relate to South Kyme Tower, South Kyme church and other churches, and the 'Boston Stump', St Botolph's.

271. None of the cultural assets would be particularly close to the wind farm, South Kyme being about 3.75km from the nearest turbine. Boston is about 12km to 15km away. South Kyme Tower and church are to the north-west of the village, slightly further away. From ground level in the vicinity of South Kyme Tower and church the views towards the wind farm would be filtered by vegetation and development, though some elements of the development would be seen. Although I viewed the landscape from the top of South Kyme Tower it would be wholly unrealistic to take this as an important viewpoint. This is for 2 reasons. First, the tower is not generally open to the public. Secondly, and more importantly, the tower is in part unsafe and access to its upper levels could not realistically be countenanced for members of the public. Any views from that location can carry little if any weight in the balance.

272. St Botolph's is different. Public access is available to a viewing platform about half way up its tower, with extensive views across the fens. Bicker Fen is evident in that view, and the proposed development would be too. However, at a distance of some 15km the wind farm would make little difference to the panorama of the fens laid out in front of the viewer. It would form a minor part of the extensive vista, which would be little altered. The overriding character and appreciation of the hinterland would be essentially unchanged.

273. In reverse it is right to observe that St Botolph's would be seen through the wind farm when viewing from the west. But St Botolph's, though a significant local building, is in fact a relatively minor element in the scene. It only takes on a greater prominence when much closer to Boston.

274. For these reasons I do not accept that the proposal would have any material impact on these or other cultural assets brought to my attention. I do not find that there would be any reduction in the significance of the assets or their settings. This finding accords with the advice of English Heritage."

- 6.38 It was common ground at the inquiry that (given a mitigation programme through a suitable conditioned scheme of archaeological works) there would be no material harm to archaeological assets within the Site.

CLIMATE CHANGE AND THE CULTURAL HERITAGE

- 6.39 The normally detrimental effects of climate change on the cultural heritage remain as stated in the original ES.

MITIGATION

Archaeological Fabric

- 6.40 Both the original layout and the proposed variation are designed to avoid all significant known archaeological sites. The proposed variation does not involve any increase in the risk of intersection with unknown buried archaeology, nor is there cause to suspect archaeological potential of a different type to that suggested in the ES. In respect of potential direct impacts, a suitable archaeological mitigation programme will be designed; this is secured through a standard negative condition (as already attached to the existing Consent). The normal cross-topic micro-siting provision also represents a potential mitigatory procedure with respect to archaeology, although, with the turbine zones reduced to a 10m radius, this aspect now gives proportionally less contingency.

STATEMENT OF RESIDUAL SIGNIFICANCE

- 6.41 After avoidance (through micro-siting) or appropriate preservation by record of any archaeological remains encountered during construction or other groundworks, it is expected that there will be no planning-significant residual direct or indirect impacts. The proposed variation to the Application Development would cause no material harm to the cultural heritage (see the summary of indirect effects in **Table 6.1** below).

REFERENCES

Barnwell Manor v East Northamptonshire District Council and English Heritage and the National Trust and the Secretary of State for Communities & Local Government [2014] EWCA Civ 137.

R (on the application of the Forge Field Society & Ors) v Sevenoaks District Council & Ors [2014] EWHC 1895 (Admin).

The Planning Inspectorate (MAJOR, P.) November 2012. Report Ref: DPI/R2520/12/8. *Six Hundred Farm, Six Hundred Drove, East Heckington, Lincolnshire* (recommendation for consent, Heckington Fen Wind Park, North Kesteven District), DECC (consent given by the Secretary of State in February 2013).

[**Appendix 6.1:** BUNN, D. 2014. *Geophysical Survey: Proposed Wind Energy Farm, Heckington Fen Lincolnshire - Access Re-Route and Sub-Station Relocation* Report by Pre-Construct Geophysics Limited for the Ecotricity Group Limited.]

Table 6.1: Cultural Heritage Non-Negligible Indirect Effects (Summary)

ASSET	IMPORTANCE OF ASSET	SETTING ELEMENT AFFECTED	SENSITIVITY OF SETTING ELEMENT AFFECTED	MAGNITUDE OF SETTING EFFECT (CONSENTED SCHEME)	SIGNIFICANCE OF IMPACT (CONSENTED SCHEME)	CHANGE WITH PROPOSED VARIATION
South Kyme earthwork complex and Tower (SM 22622 & LB I No.192771)	National	View across southern fishponds Outward view from top of tower Long view to tower from southeast on Brown's Drove	Low Medium Medium	no more than Low no more than Low no more than Low	Negligible-Minor Minor Minor	None
Tattershall Castle (SM 22720 & LB I No.400478)	National	Outward view from top of tower	High	no more than Low	Minor	None
Manwar Ings Motte & Bailey earthworks (SM 22744)	National	Longer views from southwest of earthworks (taking association with Swineshead Abbey into account)	Medium	no more than Low	Minor	None
Former Church of St John the Baptist, Amber Hill (LB II No.192067)	Regional	Views from active graveyard (church itself now in residential use)	Low to Medium	Medium	higher Moderate	None
St Mary & All Saints Church, South Kyme (LB II* No.192770)	National	View from near southeastern gate to churchyard	Medium	no more than Low	Minor	None
Church of St Andrew, Asgarby (LB I No.192554)	National	Long views from west of church (cf. A 17)	Medium	no more than Low	Minor	None
Church of St Andrew, Heckington (LB I No.192598)	National	Long views from southwest and west of church Long views of the spire from north and northwest (cf. graveyard of St John the Baptist, Amber Hill)	Medium Medium	Low Low	Minor Minor	None
Heckington Mill (LB I No.192603)	National	Long view from Claydike Bank	Medium	no more than Low	Minor	None
Church of St Mary, Swineshead (LB I No.408242)	National	Long view from south of church	Medium	no more than Low	Minor	None
Church of St Botolph, Boston (LB I No.486305)	National	Outward view from tower balcony Long view eastwards from Crab Lane	High Medium	no more than Low no more than Low	Minor Minor	None
Former Primitive Methodist Chapel & Sunday School, Heckington Fen (HER No.62989)	Local (non-designated)	Outward views (private) eastwards	Low	no more than Low	Negligible-Minor	None
Former Church of St John, East Heckington (HER No.63654)	Local (non-designated)	Outward views (private) northwards (taking into account architectural association with former school)	Low	no more than Low	Minor	None