

**TRANSPORT AND WORKS ACT 1992
TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004
TOWN AND COUNTRY PLANNING ACT 1990
BOSTON BARRIER ORDER**

**DOCUMENT EA/9/1
PROOF OF EVIDENCE
OF
JENNY TIMOTHY
CULTURAL HERITAGE**

**FOR
ENVIRONMENT AGENCY**

MARCH 2017

SUMMARY PROOF OF EVIDENCE

1 Introduction

I am employed by Mott MacDonald Limited as a Principal Heritage Consultant. I have experience of undertaking cultural heritage assessments directly related to flood alleviation work. I undertook the cultural heritage assessment for the Boston Barrier EIA Environmental Statement [A/17/1] and prepared the Maud Foster Sluice Listed Building Consent Application [LBC/2].

2 Scope of Evidence

2.1 My evidence will outline:

- the national and local planning policy in relation to cultural heritage;
- the methodology used for the assessment;
- the likely cultural heritage impacts of the Barrier;
- the effect on cultural heritage of alternative locations; and
- objections and representations related to cultural heritage.

2.2 My evidence will then respond to matter 6, raised in the Statement of Matters for the Order, and address matters 1 to 3 in the Statement of Matters for the Listed Building Consent.

3 Legislation and Policy

3.1 Paragraphs 128, 131, 132, 134, 135, 137 and 141 of the National Planning Policy Framework [C/1/1] are relevant policies when considering the effects on cultural heritage of the proposed scheme. They focus on identifying the level of harm on heritage assets and how to offset them. Relevant local policies are saved policy C8 of the Boston Borough Local Plan [C/3/1], policy E4 in the Boston Borough Interim Plan [LBC/9] and policy 26 of the Draft South East Lincolnshire Plan [C/2/2]. These focus on protection of local character.

3.2 Given the status of local planning policy as either unadopted or out of date, national planning policy will be the main consideration for cultural heritage.

4 EIA Assessment Methodology

4.1 The assessment methodology was based on the matrix approach found in the Design Manual for Road and Bridges (DRMB) (Appendix 1). This is an accepted methodology.

4.2 I walked over the Port of Boston on two occasions. All other site visits were from public areas only. Where effects on views or setting of assets from the channel are noted this is based on assumptions made from site walkovers made on foot.

5 Impacts on Cultural Heritage

5.1 Maud Foster Sluice Listed Building Consent

5.1.1 The design of the junction of the proposed flood wall allows the Grade II listed Maud Foster Sluice to largely remain a visually standalone structure in views across the Haven. The finish to the wall means it will be associated with the industrial character of the Port. There will be a slight negative impact on the setting of the sluice due to the addition of another modern structure to the sluice. No intrusive work is required into the stone work of the sluice.

5.1.2 No objections have been raised in relation to the listed building consent application. In my opinion the work proposed is acceptable in cultural heritage terms.

5.2 Boston Barrier TWAO Cultural Heritage Impacts

5.2.1 The Boston Barrier improves tidal flood protection for over 226 listed buildings, along with Boston Conservation Area. The barrier will not be visible from the Boston Conservation Area, associated flood protection work will only be visible in glimpses and in the context of the industrial setting of the Port of Boston.

5.2.2 Evidence of pre-historic and early historic settlement is limited. Excavation for construction has the potential to expose and remove any deposits. However, the use of a cofferdam and low tide dredging presents the opportunity to offset this loss.

5.2.3 The architectural, historic and community significance of the Grade II* St Nicholas Church and Skirbeck Conservation Area will not be affected by the Barrier. Views within the conservation area will remain unaffected.

5.2.4 There will be an effect on views of the Church and Skirbeck Conservation Area when travelling downstream from the Black Sluice to the wet dock. The already industrial character will become slightly more prominent. There will be a negative impact on the setting of the assets but this will be minimal in the context of the already industrial character of the Port, and the limited contribution this view makes to the overall significance of the church and conservation area.

5.2.5 There will be no other effects on cultural heritage by the construction of the Boston Barrier Scheme. In my opinion the work proposed is acceptable in cultural heritage terms.

6 Alternative Barrier Locations

6.1 Mouth of the Wash to Maud Foster Sluice

6.1.1 A structure within the Haven between Hobhole and Maud Foster Sluice has the potential to significantly affect views of St Botolph's Church and St Nicholas Church.

6.1.2 The historic character of this area is agricultural land behind a sea wall with isolated farmsteads. The introduction of a large industrial structure will compromise this historic character.

6.1.3 For much of this stretch of the Haven, the effect on Cultural Heritage is considered to be worse than the proposed Barrier location.

6.2 Maud Foster Sluice to the Proposed Barrier Site

6.2.1 Given the heavy industrial character of this part of the Haven the introduction of a structure has more potential to be incorporated into the townscape reducing the impact on the historic character of Boston.

6.2.2 The closer the barrier moves downstream, towards Maud Foster Sluice and St Nicholas Church, the more the setting of both assets are likely to be affected. The location proposed, as far from the designated assets as possible, is the best location in this extent of the river.

6.3 Proposed Barrier Site to Fisherman's Quay

6.3.1 The potential for unknown archaeological remains grows moving closer to the town centre and the potential for the removal of archaeological remains is higher.

6.3.2 Locating the Barrier between the proposed site and Fisherman's Quay has the potential to block or restrict views along the Haven into the town with the potential to significantly affect the setting of the Grade I listed St Botolph's Church, Grade II listed swingbridge and Boston Conservation Area.

6.3.3 The effect on cultural heritage is considered worse in this location than the proposed barrier site.

7 Representations and Objections

7.1 Historic England (REP/6) consider the works along the right bank constitute less than substantial harm to the setting of St Nicholas Church and Skirbeck Conservation Area. They have not raised an objection to the Scheme. I believe the level of harm to the significance of St Nicholas Church and the Conservation Area is minimal given the current industrial setting and limited contribution of the view along the right bank to their significance. This harm is outweighed by the beneficial effect from improved flood protection for cultural heritage provided by the proposed scheme.

7.2 Howard M Smith (OBJ/21) alleges an integral lock would be likely to make upstream ad hoc flood protection measures redundant, freeing up traditional landings for use by mariners. Construction of the Barrier does not prevent an integral lock being installed at a later date. Installation of a lock does not guarantee the reuse of traditional landings, or in a way which is consistent with their conservation.

8 Response to Statement of Matters TWAO

8.1 The Barrier will result in increased flood protection from tidal flooding for 226 listed buildings, along with other non-designated heritage assets, and historic spaces in Boston.

8.2 A scheme of pre-construction archaeological investigation will be secured by proposed condition 5.

- 8.3 The setting of the majority of designated and undesignated assets will remain unchanged. Of those assets that will be affected, namely Maud Foster Sluice, St Nicholas Church and Skirbeck Conservation Area, the permanent negative impact of the scheme will be minimal due to the already industrialised character of the Barrier location and the limited contribution views from this area make to the significance of the assets.

9 Response to Statement of Matters Listed Building Consent

- 9.1 The proposal is in accordance with policy E4 of the Interim Plan and policy 26 of the Draft South East Lincolnshire Plan.
- 9.2 There will be limited harm to the setting and therefore significance of the Maud Foster Sluice from the construction of the flood wall, resulting in less than substantial harm. When weighed with the overall public benefit of a completed flood defence, and reduced flood risk to heritage assets and to Boston, this proposal is considered to comply with paragraph 134 of national policy.
- 9.3 I believe that the conditions proposed are reasonable.

10 Conclusions

My professional opinion is that there is a substantial benefit from the Barrier Project to cultural heritage in Boston, through the improved tidal flood protection to the historic environment. Any effects would be offset through the benefit of the scheme in relation to cultural heritage and archaeological recording. Alternative locations suggested for the barrier are likely to result in similar or worse effects on cultural heritage. In my opinion there are no significant cultural heritage grounds on which the Secretary of State might base a decision not to make the Order or grant Listed Building Consent.