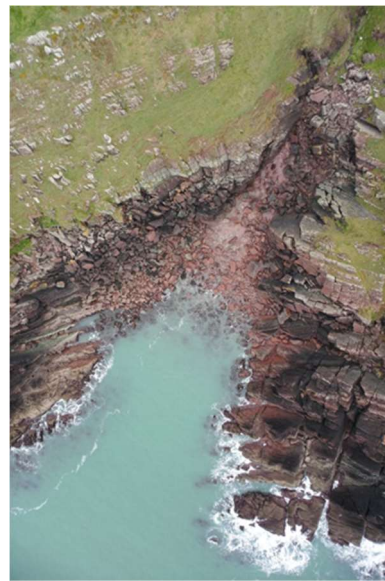




## mWave Marine Energy Device and Onshore Infrastructure

### ENVIRONMENTAL STATEMENT



June 2019

#### APPENDIX 13.1: Marine Archaeology

**Contents**

**13 MARINE ARCHAEOLOGY ..... 1**

13.1 Introduction ..... 1

13.2 Legal and Planning Framework ..... 1

13.3 References..... 5

13.4 Annex A ..... 6

**Tables**

Table A13.1: Gazetteer of relevant heritage assets (within 500 m radius from each site). ..... 6

**Figures**

Figure A13.1: Areas of Archaeological Potential, with mWave deployment site and onshore works area located to south outside (yellow box)

Figure A13.2: Local study area off East Pickard Bay – RCAHMW.

Figure A13.3: Local study area off East Pickard Bay – HER Dyfed Data..

## 13 MARINE ARCHAEOLOGY

### 13.1 Introduction

- 13.1.1 As identified in Chapter 1 Introduction it was originally intended that the licensing and consenting of the mWave project would be undertaken within the consenting and licensing of the META Project Site 8 (East Pickard Bay), with the mWave being located within the eastern part of META Site 8 (approximately 2.2km from the western boundary and 0.5km from the eastern boundary). Due to the anticipated consenting period of the META project, it was agreed with NRW-PS and MEW that the most appropriate route would be for Bombora to submit separate applications for consent. Whilst the META project is to be consented for a range of different marine devices over a 15 year period, and a maximum and most likely Project Design Envelope has been identified for assessment to encompass a range of different devices, this application is for a single device of known characteristics for a short duration (up to 18 months). The potential effects of the META Project has been included within the cumulative impact assessment within Chapter 13. For completeness the position of META Site 8 in relation to mWave is shown on the relevant illustrations, to put the two projects in context.
- 13.1.2 A description of the sites and proposals can be found in the Environmental Statement Chapter 2: Project Description.
- 13.1.3 This technical appendix sets out the legal and planning framework in more detail and provides a gazetteer of all relevant archaeological sites within a 500m radius from the local study area. The local study area is defined as the area within the META Site 8 consented site (within which the mWave project will be deployed), with a 500m archaeological search area which encompasses the cable route from mWave to MHWS (Figure 13.2). The marine archaeology wider study area, for which data searches were obtained, is defined as the Milford Haven Waterway (henceforth referred to as “the Waterway”) – the area inclusive of the Waterway and extends 12 Nautical Miles from St Govan’s Head to Skomer Island (see Figure 13.1 and 13.2 Chapter 13: Marine Archaeology. The data is illustrated in Figures within this appendix.

### 13.2 Legal and Planning Framework

#### National Legislation

- 13.2.1 Legislative frameworks provide protection to the historic environment while planning policy guidance provides advice concerning how the historic environment should be addressed within the planning process.
- 13.2.2 Statutory protection for archaeology is principally enshrined in the **Ancient Monuments and Archaeological Areas Act (1979)** amended by the National Heritage Act (1983) and the National Heritage Act (2002). Nationally important archaeological sites are listed in a Schedule of Monuments and are afforded statutory protection.
- 13.2.3 For other components of the historic environment, the **Planning (Listed Buildings and Conservation Areas) Act (1990)** and the **Town and County Planning Act (1990)** provide statutory protection to listed buildings and their settings and present measures to designate and preserve the character and appearance of Conservation Areas.

- 13.2.4 The **Historic Environment (Wales) Act (2016)** gives protection to listed buildings and scheduled monuments in Wales, improves the sustainable management of the historic environment, and introduces greater transparency and accountability regarding decisions affecting the historic environment.
- 13.2.5 There are numerous maritime wrecks in the seas around Wales. Although all of them have historic value, six currently have legal protection. These six are known as ‘designated wrecks’ or ‘protected wrecks’ and are statutorily protected by the **Protection of Wrecks Act (1973)**. Sites are statutorily designated with the advice of the Advisory Committee for Historic Wreck Sites. Guidance notes for finders of historic wrecks and for sports divers are available from Cadw. Licences are required from the Secretary of State for Wales for the monitoring, survey or excavation of designated historic wrecks. The nearest designated wreck site to the mWave site is The Smalls (Decimal Latitude: 51.721667 Decimal Longitude: -5.670278), which is approximately 40km from mWave deployment site.
- 13.2.6 The **Marine and Coastal Access Act (2009)** provides the legal mechanism to help ensure clean, healthy, safe, productive and biologically diverse oceans and seas by putting in place a new system for improved management and protection of the marine and coastal environment. The Marine Act, which mainly affects England and Wales, comprises eight key elements: A Marine Management Organisation (MMO); a Strategic Marine Planning System; a Streamlined Marine Licensing System; Marine Nature Conservation; Fisheries Management and Marine Enforcement; Migratory and Freshwater Fisheries; Coastal Access; and Coastal and Estuarine Management.

#### National Planning Policy

- 13.2.7 The principal national planning policy relevant to this assessment is **Planning Policy Wales (Edition 10, Welsh Government, December 2018)**, (PPW10). Chapter 6 of PPW10 (Distinctive and Natural Places) includes a section (6.1) on The Historic Environment. This establishes Welsh Government objectives with regard to the protection of the historic environment and explains that responsibility for caring for the historic environment lies with all those that have an interest in the planning system.
- 13.2.8 Welsh Government objectives regarding the historic environment are defined in paragraph 6.1.6 of PPW10 and seek to:
- protect the Outstanding Universal Value of the World Heritage Sites;
  - conserve archaeological remains, both for their own sake and for their role in education, leisure and the economy;
  - safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved;
  - preserve or enhance the character or appearance of conservation areas, while at the same time helping them remain vibrant and prosperous;
  - preserve the special interest of sites on the register of historic parks and gardens; and
  - protect areas on the register of historic landscapes in Wales.’
- 13.2.9 Regarding archaeological remains, Section 6.1 of PPW10 states: ‘The conservation of archaeological remains and their settings is a material consideration in determining planning

applications, whether those remains are a scheduled monument or not' (Paragraph 6.1.23). 'Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance)' (Paragraph 6.1.24). In cases involving less significant archaeological remains, local planning authorities will need to weigh the relative importance of the archaeological remains and their settings against other factors, including the need for the proposed development' (paragraph 6.1.25).

- 13.2.10 Section 6.1 goes on to say: 'Where archaeological remains are known to exist or there is a potential for them to survive, an application should be accompanied by sufficient information, through desk-based assessment and/or field evaluation, to understand a full understanding of the impact of the proposal on the significance of the remains' (paragraph 6.1.26). 'If the planning authority is minded to approve an application and where archaeological remains are affected by proposals that alter or destroy them, the planning authority must be satisfied that the developer has secured appropriate and satisfactory provision for their recording and investigation, followed by the analysis and publication of the results and the deposition of the resulting archive in an approved repository' (paragraph 6.1.27).
- 13.2.11 PPW10 also includes policies regarding historic landscapes, advising that 'The register should be taken into account in decision making when considering the implications of developments which meet the criteria for Environmental Impact Assessment, or, if on call in, in the opinion of Welsh Ministers, the development is of a sufficient scale to have more than a local impact on the historic landscape' (Paragraph 6.1.21).

### Local Planning Policy

- 13.2.12 The **Pembrokeshire Coast National Park Local Development Plan** was adopted by the National Park Authority on the 29th September 2010. The following policies are relevant for this assessment:
- 13.2.13 Policy 13 Historic Landscapes Parks and Gardens
- 13.2.14 'Historic Landscapes, Parks and Gardens are shown on the Proposals Map.'
- 13.2.15 Policy 17 Shore Based Facilities
- 13.2.16 'Development of shore based facilities including those linked to proposals below mean low water, will be permitted within the developed areas of the coast where compatible with adjacent uses. Marina developments are not considered appropriate on the sensitive coast of the National Park.'
- 13.2.17 The Pembrokeshire Coast National Park Authority issues **Supplementary Planning Guidance** to the Local Development Plan for the Pembrokeshire Coast National Park, including the '**Historic Environment (Archaeology)**', adopted 22 June 2011. This Supplementary Planning Guidance includes specific reference to the Register of Landscapes of Outstanding Historic Interest (Register of Landscapes of Outstanding Historic Interest in Wales. Cadw/ICOMOS UK. 1998) and where it is included within PPW10 (paragraph 6.1.21 as discussed above). Where an application site lies within a registered landscape the National Park Authority will expect applicants to have assessed the impact of their developments on registered historic landscape, which the Authority will weigh against other material considerations. To assist applicants for planning permission,

Cadw, the Countryside Council for Wales and the four Welsh Archaeological Trusts have prepared the Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process (Revised 2007).

- 13.2.18 The mWave Project falls outside the registered landscape of Milford Haven Waterway. This landscape area retains many Iron Age coastal promontory forts, early Medieval and Viking place names and Medieval cast boroughs as well as evidence of more recent history of ship building and fishing industries.
- 13.2.19 Pembrokeshire Coast National Park Authority also issued **Supplementary Planning Guidance** to the Local Development Plan for the, Adopted 11 December 2013 titled '**Seascape Character Assessment**'.
- 13.2.20 The seascape character assessment of Pembrokeshire Coast National Park includes territorial waters up to 12 nautical miles offshore and extends from Cardigan Island in the north to the Taf estuary in Carmarthen Bay in the south.

*Prehistoric promontory forts, more recent military installations, religious buildings, harbours and other historic features and wrecks indicate the area's strong connection to ancient seaways and reinforce its strong sense of place. Each area is described in terms of its key characteristics, physical influences, cultural influences and aesthetic, perceptual and experiential qualities. The mWave Project within the local study area is within SCA 34 – Freshwater West. Details of the seascape character areas can be found in Chapter 14 Seascape Landscape Assessment guidance.*

- 13.2.21 Detailed guidance on planning and the historic environment is provided in **Technical Advice Note 24: The Historic Environment (TAN24: Welsh Government 2017)**. With regards to the planning process, TAN24 provides the following guidance:
- 13.2.22 'The conservation of archaeological remains is a material consideration in determining a planning application. When considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ (...) In cases involving less significant archaeological remains, local planning authorities will need to weigh the relative importance of the archaeological remains and their settings against other factors, including the need for the proposed development (Paragraph 4.2).'
- 13.2.23 'Where development might reveal, disturb or destroy archaeological remains, including palaeoenvironmental evidence, it is important that the opportunities to record archaeological evidence are taken and that archaeological remains are not needlessly destroyed. The ability to record such evidence should not be a factor in deciding whether controlled removal should be permitted (Paragraph 4.3).'
- 13.2.24 Early consultation is encouraged, and 'Where archaeological remains are known to exist, or considered likely to exist (...) the local planning authority should ask an applicant to undertake a desk-based archaeological assessment and, where appropriate, an archaeological evaluation (...). Applicants should show they have modified their development proposals to minimise any negative impact on the identified archaeological remains, and how they intend to mitigate any remaining negative impacts (Paragraph 4.7).
- 13.2.25 With regards to preservation of archaeological remains, TAN 24 states: 'The case for the preservation of archaeological remains that are not considered to meet the criteria for national

area including the mWave deployment site and the cable route fall within the **South Pembrokeshire Heritage Coast**.

importance (...), must be assessed on the individual merits of each case. The local planning authority must take into account relevant policies and material considerations, and will need to weigh the significance of the remains against the benefits of and need for the proposed development. (Paragraph 4.10).

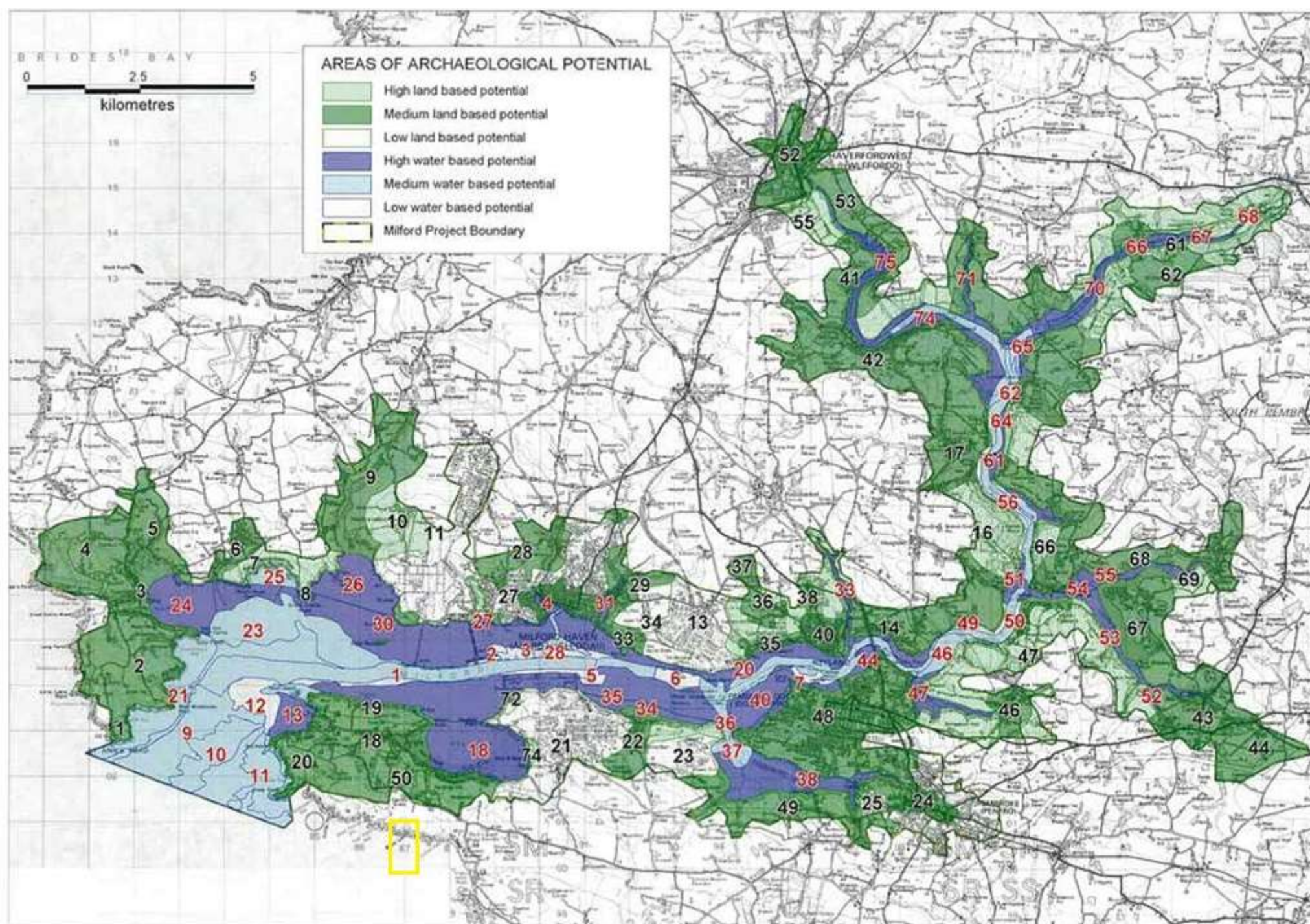
13.2.26 The aspirations and vision of the Welsh Government regarding the historic environment are additionally expressed in **Conservation Principles for the Sustainable Management of the Historic Environment in Wales** (Welsh Assembly Government, published by Cadw in 2011). This provides guidance on understanding heritage values and includes a section advising on how to assess heritage significance.

13.2.27 According to the guidance, heritage values fall into four inter-related groups:

- Evidential value – the potential of a place to yield evidence about past human activity;
- Historical value - this derives from the ways in which past people, events and aspects of life can be connected through a place to the present. This value tends to be illustrative (providing insights into past communities and their activities) or associative (association with a notable family, person, event or movement);
- Aesthetic value – this derives from the ways in which people draw sensory and intellectual stimulation from a place; and
- Communal value – this derives from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.

13.2.28 The **National Seascape Assessment for Wales** (Natural Resources Wales, November 2015), comprise two complementary and linked elements: a marine character assessment; and a visual resource mapping element – only the marine character aspects are considered in this assessment. The National Seascape Assessment identifies 29 Marine Character Areas (MCAs), of which MCA 22 is relevant for this assessment. Details of the marine character areas can be found in Chapter 14 Seascape Landscape Assessment.

**Heritage Coasts** are sections of the coastline in England and Wales designated for their natural beauty, wildlife and heritage. The classification scheme was set up in 1972 to help protect coastline of important scenic and environmental value from undesirable development and to help promote access to it by the public. Heritage Coasts are managed by Natural Resources Wales (formerly the Countryside Council for Wales). Their status carries no legal protection, but planning authorities must take the designation into account when making decisions on development. The local study



Map 4 Areas of Archaeological Potential

Figure 1: Areas of Archaeological Potential, with mWave deployment site and onshore works area located to south outside (yellow box)

### 13.3 References

- Ancient Monuments and Archaeological Areas Act 1979. Available online: <http://www.legislation.gov.uk/ukpga/1979/46>
- Cadw (2011). Conservation Principles for the Sustainable Management of the Historic Environment in Wales, March 2011.
- Cadw, CCW and Welsh Assembly Government (2007). Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process.
- Cadw, CCW, and ICOMOS UK (1998). Landscapes of Historic Interest in Wales, Part 2 of the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales, Part 2.1: Landscapes of Outstanding Historic Interest
- CifA December (2014). Standard and guidance for historic environment desk-based assessments.
- Dyfed Archaeological Trust (2008). Milford haven Waterway Ports & Harbours Project.
- Historic Environment (Wales) Act 2016. Available online: <http://www.legislation.gov.uk/anaw/2016/4/contents>
- Marine and Coastal Access Act 2009. Available online: <https://www.legislation.gov.uk/ukpga/2009/23/contents>
- National Heritage Act 1983. Available online: <http://www.legislation.gov.uk/ukpga/1983/47/contents>
- National Heritage Act 2002. Available online: <http://www.legislation.gov.uk/ukpga/2002/14/contents>
- Natural Resources Wales November (2015). National Seascape Assessment for Wales.
- Pembrokeshire Coast National Park – Local Development Plan – Supplementary Planning Guidance – ‘Historic Environment (Archaeology)’ (Adopted 22 June 2011)
- Pembrokeshire Coast National Park – Local Development Plan – Supplementary Planning Guidance – ‘Seascape Character Assessment’ (Adopted 11 December 2013)
- Pembrokeshire Coast National Park Local Development Plan (Adopted 29th September 2010)
- Pembrokeshire County Council – Local Development Plan (up to 2021) (Adopted February 2013).
- Planning (Listed Buildings and Conservation Areas) Act 1990. Available online: <https://www.legislation.gov.uk/ukpga/1990/9/contents>
- Protection of Military Remains Act 1986. Available online: <https://www.legislation.gov.uk/ukpga/1986/35/contents>.
- Protection of Wrecks Act 1973. Available online: <http://www.legislation.gov.uk/ukpga/1973/33>

Rees, S. E. (2003). Maritime and intertidal archaeology. BAR BRITISH SERIES, 343, 193-200.

Town and County Planning Act 1990. Available online: <http://www.legislation.gov.uk/ukpga/1990/8/contents>

Welsh Government (2017). DRAFT Welsh National Marine Plan.

Welsh Government (2017). Technical Advice Note 24: The Historic Environment, May 2017.

Welsh Government (2018). Planning Policy Wales, Edition 10, December 2018.

## 13.4 Annex A

Table A13.1: Gazetteer of relevant heritage assets (within local study area and 500 m radius buffer zone).

| Source       | Name                                                           | NGR          | Period        |
|--------------|----------------------------------------------------------------|--------------|---------------|
| PRN 4746     | FRESHWATER WEST                                                | SR885998     | Post Medieval |
| NPRN 33353   | SEAWEED DRYING SHED;LAVERBREAD HUTS, FURZENIP, FRESHWATER WEST | SR8853299380 | Post Medieval |
| PRN 32776    | ANGLE                                                          | SM84960165   | Post Medieval |
| NPRN 524956  | QUARRY, PARSON'S QUARRY BAY                                    | SM8497101660 | Post Medieval |
| PRN 3099     | WEST PICKARD CAMP                                              | SM86240103   | Iron Age      |
| NPRN 92623   | WEST PICKARD CAMP                                              | SM86240102   | Iron Age      |
| PRN 32765    | ANGLE                                                          | SM86250103   | Modern        |
| PRN 33438    | ANGLE                                                          | SM86330105   | Modern        |
| NPRN 270745  | WEAPONS PIT, ANGLE                                             | SM86270104   | Modern        |
| PRN 33438    | ANGLE                                                          | SM86330105   | Modern        |
| NPRN 270754  | GUN EMPLACEMENT, ANGLE                                         | SM86710109   | Modern        |
| PRN 33440    | ANGLE                                                          | SM88040063   | Modern        |
| NPRN 270760  | WEAPONS PIT, ANGLE                                             | SM88050063   | Modern        |
| PRN 11976    | FRESHWATER WEST                                                | SR882993     | Prehistoric   |
| NPRN 524,740 | SUBMERGED FOREST, FRESHWATER WEST                              | SR8834299870 | Mesolithic    |
| NPRN 240,879 | UNNAMED WRECK                                                  | SM8499400453 | Modern        |
| NPRN 273,100 | HIGHLAND HOME                                                  | SR8768799145 | Post Medieval |
| NPRN 273,231 | LCG No 15                                                      | SM8451200179 | Post Medieval |
| NPRN 273,193 | WILLEMOES OF THURO                                             | SM8810000200 | Modern        |
| NPRN 420,445 | UNNAMED WRECK (UPSIDE DOWN WRECK)                              | SM8810000200 | Modern        |
| NPRN 272,992 | MARY E WADHAM                                                  | SR8822799634 | Post Medieval |
| NPRN 272,900 | SPEEDWELL                                                      | SM8397601318 | Post Medieval |
| NPRN 273,411 | CRYSTAL                                                        | SM8407701570 | Post Medieval |
| NPRN 518,475 | ANCHORAGE, FRESHWATER BAY                                      | SM8544700156 | Post Medieval |
| NPRN 518,599 | SHEEP ROCK                                                     | SM8337701186 | Multiperiod   |

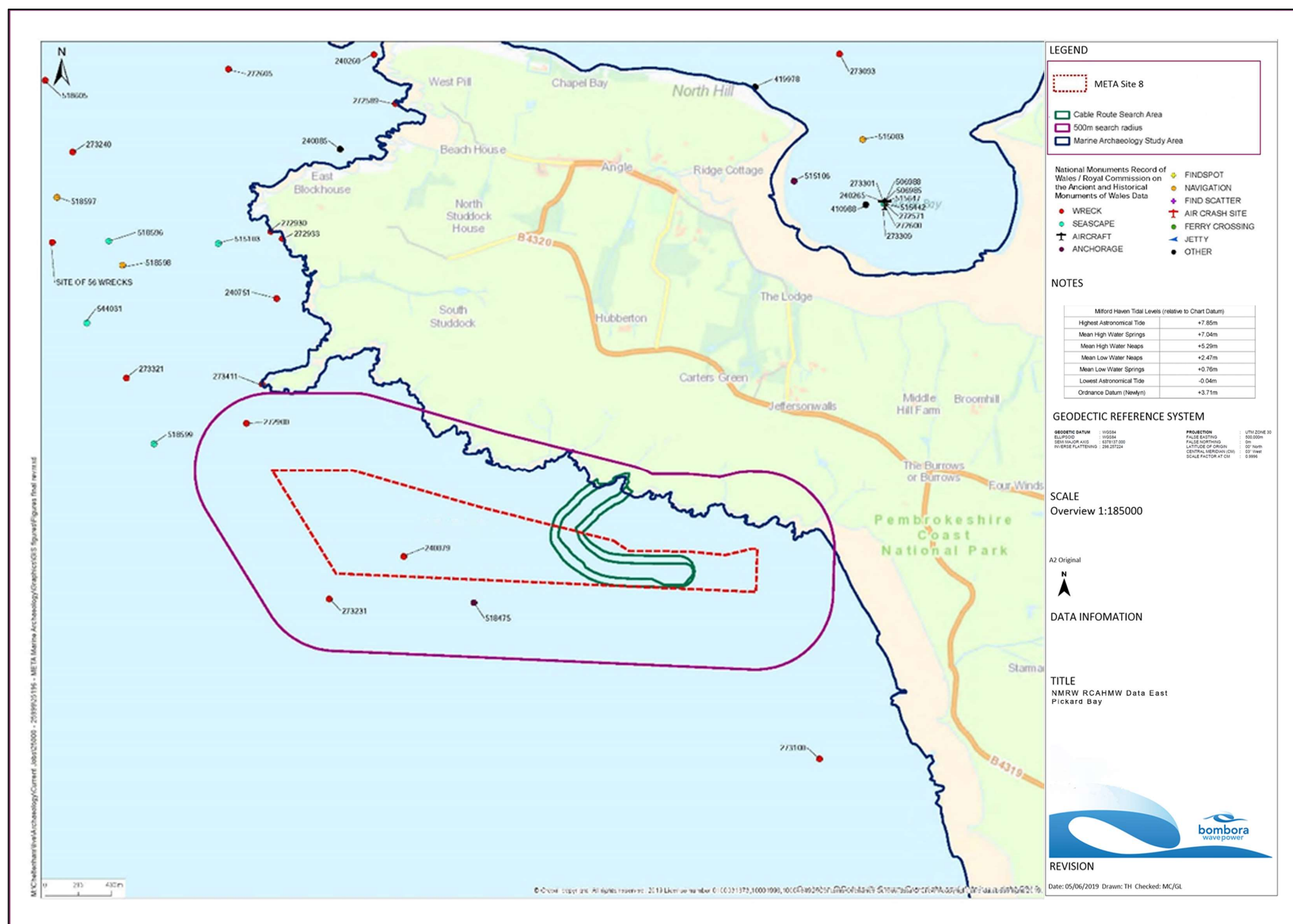


Figure A13.2: Local study area off East Pickard Bay – RCAHWW.

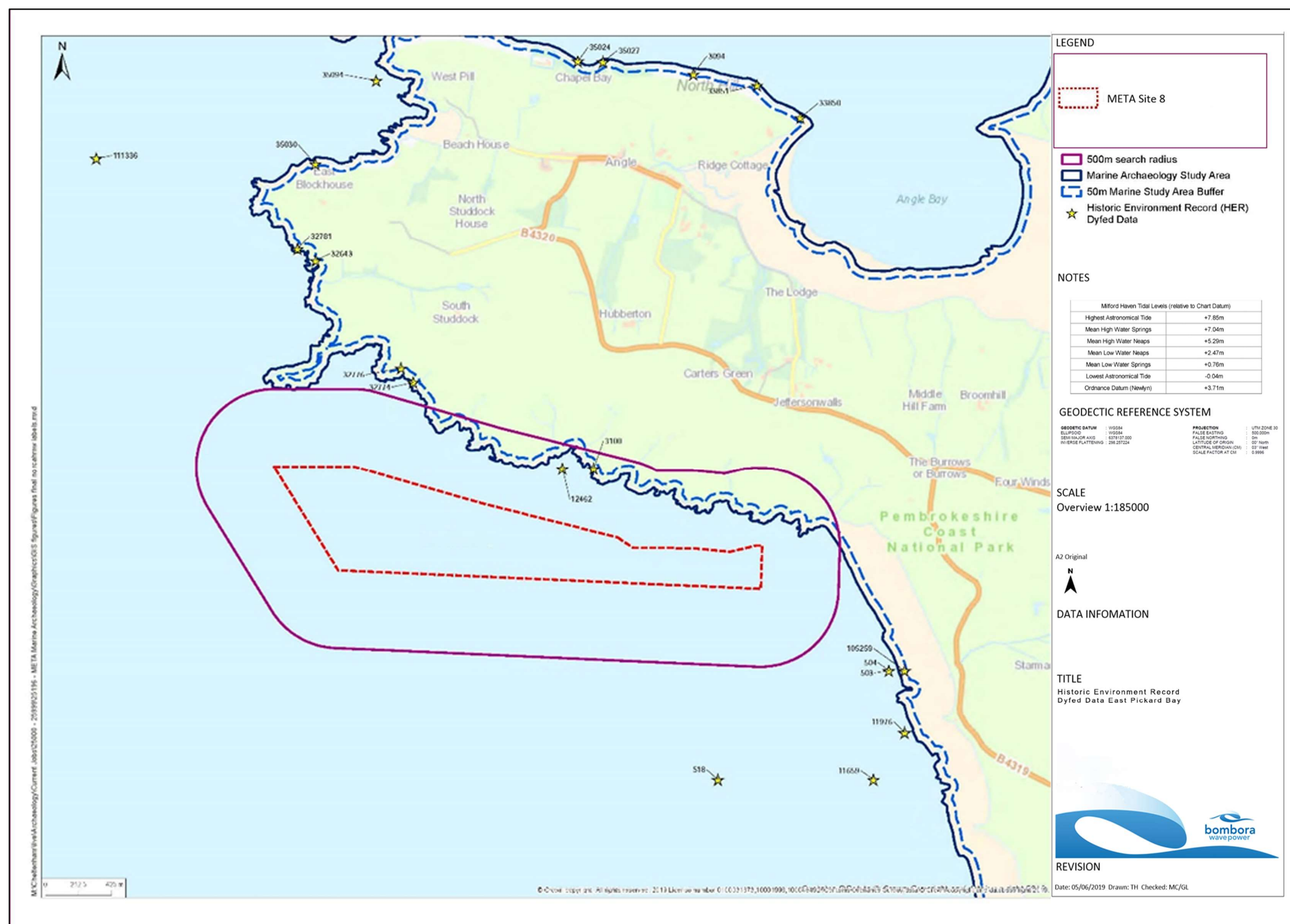


Figure A13.3: Local study area off East Pickard Bay – HER Dyfed Data.