



Adran yr Economi a'r Seilwaith
Department for Economy and Infrastructure

Llywodraeth Cymru
Welsh Government

**APPLICATION FOR LISTED BUILDING CONSENT UNDER SECTION 10 OF THE
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
REFERRED TO WELSH MINISTERS BY DIRECTION UNDER SECTION 12**

APPLICATION BY: WELSH MINISTERS

**SITE: WOODLAND HOUSE (KNOWN LOCALLY AS THE MAGOR VICARAGE),
NEWPORT ROAD, MAGOR, MONMOUTHSHIRE, NP26 3BZ**

Proof of Evidence

Matthew Jones BEng (Hons), CEng, MICE

Welsh Government, Chief Witness

Document Reference: WG 1.1.6

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1. **Personal Statement**

- 1.1 I am Matthew Richard Jones.
- 1.2 I have an Honours Degree in Architectural Engineering gained in 2003 from Cardiff University. In 2011 I became a Member of the Institution of Civil Engineers as an Incorporated Engineer. In 2013 I became a Chartered Civil Engineer with the Institution of Civil Engineers, winning the Ben Barr award for my Professional Review. I am a member and Vice Chair of the Institution of Civil Engineers Wales Committee.
- 1.3 Following graduation I joined the Cardiff office of Jacobs Engineering (then known as Babbie Group Ltd.) in 2003. I was a consultant Highways Engineer on the Employer's Agent team delivering the Welsh Government's £55m A465 Heads of Valleys Dualling Section 1 project between Abergavenny and Gilwern. I spent 2 years working on outline design, contract production and management and later spent a year as a site agent during construction.
- 1.4 I was Assistant Project Manager on the Contractor's Design Team for one of the first Early Contractor Involvement, or 'ECI', projects in Wales - the £74m M4 widening from Castleton to Coryton (J29 to 32). My role, between 2005 and 2006, included managing and co-ordinating design teams and Environmental Statement production. The ECI process contributed to the project being delivered on target and programme.
- 1.5 I joined CH2M Engineering (then known as Halcrow Consulting Ltd.) in 2007 and between then and 2013 was part of the Employer's Agent team on the Welsh Government's £50m A487 Porthmadog, Minffordd and Tremadog Bypass project. I also worked on other projects such as Highways Agency design packages under a managing agent contractor role.
- 1.6 Between 2012 and 2013 I was a Senior Engineer in the Contractor's Design Team for the £220m ECI A465 Heads of the Valleys Section 2 project between Gilwern and Brynmawr, again working on design co-ordination and management.

- 1.7 In 2013 I joined Welsh Government as a Project Engineer working on the development of, and consultation on, the strategic proposals for the M4 Corridor around Newport.
- 1.8 I have managed project development up to and including publication of the draft Statutory Orders, the Environmental Statement and associated reporting in March 2016, as well as matters associated with the subsequent statutory process.
- 1.9 This Proof of Evidence represents my true and professional opinion and is given in accordance with the Institution of Civil Engineer's Code of Professional Conduct.

2. Scope of Evidence

- 2.1 My main Proof of Evidence (WG1.1.1) provides an overview of the Scheme and its development. It also sets out the Welsh Government's reasons for proposing that the published draft Orders should be made (subject to various suggested Modifications). This Proof of Evidence (WG1.1.6) sets out the reasons for seeking consent to demolish a listed building associated with the Scheme.
- 2.2 I will rely on the following Expert Witnesses to cover their respective specialist fields:
- 1) Mr Mick Rawlings (Cultural Heritage);
 - 2) Mr Richard Green (Bats); and
 - 3) Mr John Davies MBE BSc MRTPI (Planning/Sustainable Development).

3. Background

- 3.1 An application for Listed Building Consent for the demolition of the Grade II listed Woodland House (known locally as 'Magor Vicarage') and its curtilage buildings was submitted to Monmouthshire County Council and was duly registered by the Council on 17 October 2016 (Ref. DC/2016/01033). A report was prepared by the Planning Officers ahead of the application being determined by the Planning Committee. That report recommended that a request be made for the application to be 'called-in' for determination by Welsh Government.

- 3.2 At a meeting of the Planning Committee of Monmouthshire County Council held on 06 December 2016, it was decided that Welsh Government should be requested to 'call-in' the application.
- 3.3 In a letter dated 22 December 2016, the Planning Director of Welsh Government advised the Head of Planning at Monmouthshire County Council that the application had been 'called-in' for determination by the Cabinet Secretary for Environment and Rural Affairs (Welsh Government) under the powers established in Section 12 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The letter advised that 'The application for listed building consent is inextricably linked with the major proposal to construct the M4 relief road which is being determined by the Welsh Ministers as a Roads Order'.
- 3.4 Correspondence from the Planning Inspectorate Wales dated 23 January 2017 confirmed that the inquiry into the called-in listed building application will be part of the road inquiry, given that the justification for the proposed demolition is the need for and alignment of the M4 Corridor around Newport Scheme. The evidence in support of the demolition of Woodland House is inextricably linked with that supporting the Scheme and it is appropriate for evidence to be heard by the same Inspector.
- 3.5 My opinions on the M4 Corridor around Newport Scheme are provided in my separate Proof of Evidence WG1.1.1 and I do not intend to replicate them here, other than as necessary to address the Called-In Listed Building Consent Application. The Welsh Government has also published a Statement of Case, which has been submitted to the Inquiry, and I have aimed to avoid duplication when appropriate. This Proof of Evidence should therefore be read alongside WG1.1.1 and the Statement of Case in support of the Called-In Listed Building Application.

4. Requirements for Listed Building Consent

- 4.1 Proposals for a new section of motorway along a route to the south of Newport were first protected against development in 1995, with the publication of a TR111 Notice. Subsequent minor modifications were made in 1997, 2006 and 2014 following route reviews. As explained in section 1.2 and 1.3 of this Statement, the Scheme proposals have been developed iteratively over many years to respond to a range of economic, social and environmental issues. A range of alternatives and routes have been considered, culminating in the current TR111 Notice that protects the corridor for planning purposes.
- 4.2 The latest modification of the TR111 Notice in 2014 largely follows the 2006 Preferred Route (TR111) protection. Following the publication of ‘the Plan’ for the M4 Corridor around Newport, the Welsh Government revised the protected route corridor. This has enabled the earlier outline designs of the motorway interchanges at Magor/Rogiet (Junction 23) and Castleton, which were protected for planning purposes to be revisited.
- 4.3 In order accommodate the preferred route and junction strategy and avoid the Gwent Levels Sites of Special Scientific Interest (SSSI) where practicable, the proposed alignment would run parallel to the A4810 to the west of Magor. It would then follow a bend around the north-west corner of Magor to tie-in with the existing M4 alignment. To fit the alignment between the A4810 and the residential properties in the north-west of Magor, while adhering to the necessary design standards (the Design Manual for Roads and Bridges), the design is unable to avoid Woodland House.
- 4.4 An alternative route to the south of Magor has been considered previously leading up to the 2006 Preferred Route and subsequently as part of the 2014 draft Plan consultation, when it was again discarded due to its likely significant impact on ecology and the Gwent Levels SSSI and Magor Marsh Nature Reserve and SSSI. The 2006 route was in fact moved north to reduce the potential impact on the SSSIs in keeping with, and responding to, the then new duties under Section 28G of the Wildlife and Countryside Act 1981.

- 4.5 Avoiding Woodland House by increasing the radius of the horizontal curve around the north-west corner of Magor would push the alignment away from Magor, resulting in significant impacts on the A4810, Magor Brewery and the Wales One Business Park, with associated land and economic implications. Approximately 1.2km of the A4810 would need to be grade separated, diverted or closed. Depending on the radius required, several commercial properties would be directly impacted with associated land requirements. Decreasing the radius of the curve would not meet design standards and would move the alignment into Magor, resulting in direct impacts on approximately 20 residential properties and indirect (air quality, noise and visual) impacts on many more. This would lead to associated land, social and economic implications.
- 4.6 Unfortunately, given its location and the physical/technical constraints of a suitable highway route around Magor, demolition of Woodland House and its curtilage buildings is unavoidable and required to facilitate the Scheme. The alignment takes into account technical, environmental, social and economic considerations. John Davies considers the balance between the need for the Scheme, its benefits and disbenefits including the justification in the need to demolish Woodland House in the context of the relevant statutory and policy framework. I consider that the proposed Scheme represents the most appropriate solution to address the problems on the existing M4 around Newport, measured against the aims and objectives.

5. The Application Listed Building

- 5.1 Woodland House (also known locally as the ‘Vicarage’) is located to the north of Newport Road (B4245), west of Magor, in Monmouthshire. In light of the TR111 planning protection, the property was considered for blight and accordingly purchased in August 2007 by the Welsh Government. Since then the Welsh Government has let the property.
- 5.2 The listing description is provided in section 3.2 of the Statement of Case, alongside photographs in its Figures 3.1 to 3.6.

5.3 Mick Rawlings provides further information about the history, context and heritage value of the property in his evidence (WG1.9).

6. **Justification for Proposed Demolition**

6.1 While it is an objective of Government policy to secure the preservation of historic buildings, it is acknowledged that there will very occasionally be cases where demolition is unavoidable. If the M4 Corridor around Newport Scheme progresses as currently proposed, the loss of Woodland House will be an unavoidable consequence.

6.2 I realise that loss of a Grade II listed building is contrary to the objectives and principles of heritage policy and that the statutory protection given to such assets is strong. For reasons set out in my main Proof of Evidence (WG1.1.1), I believe the need for the Scheme to be pressing and the case for providing it on the line proposed to be well made. Given the importance of the Scheme in terms of the economy and wellbeing of Wales and its place within national policy, I regard this case as truly exceptional. However, bearing in mind the Local Planning Authority's representations and the considerable importance and weight to be given to preservation of the building, we are investigating the unusual step of seeking to mitigate the loss of the building by moving it to a suitable new site.

6.3 It is important to consider the context of the Welsh Ministers' M4 Corridor around Newport proposals, to which the listed building application relates. The M4 around Newport is a route of strategic importance and is critical to the Welsh economy. It forms part of the Trans European Transport Network Route E30 from Cork to Omsk (Russia), connecting Fishguard to Felixstow in the UK, and is the gateway to Wales, transporting people and goods to homes, industry and employment. It provides access to ports and airports and serves the Welsh tourism industry.

6.4 Since the early 1990s, much assessment and consultation has been undertaken to develop a solution to the transport related problems associated with the M4 around Newport. In March 2016 the draft Orders for the Scheme were published, alongside an Environmental Statement, a Statement to Inform an Appropriate Assessment, and associated reporting.

- 6.5 In addition to the context of the M4 proposals as provided within Section 2 of this Statement, a solution to the identified problems on the M4 by way of the proposed draft Orders being promoted by the Welsh Ministers is of national importance, demonstrated by the relevant legislative and policy context for the Scheme in relation to transport, as set out in section 4 of the Statement of Case and in the evidence of John Davies (WG1.23). The scheme is set out in the National Transport Finance Plan 2015, in which a delivery schedule is provided and under new road schemes to be constructed R8 is included and described as: “Improvements to the M4 Corridor around Newport - a new section of motorway south of Newport and complementary measures including reclassification of the existing M4 between Magor and Castleton, a M48-B4245 link and cycling and walking friendly infrastructure”.
- 6.6 Whilst taking into account the considerable importance and weight given by the law and policy to preservation of listed buildings, I consider there to be exceptional circumstances in requiring demolition and that other alignments avoiding Woodland House would have unacceptable consequences by virtue of their likely significant economic, environmental and/or social impacts (see paragraph 4.3).
- 6.7 Overall, the effect of the proposed new section of motorway, which because of its constrained alignment would result in the demolition of Woodland House and its curtilage buildings, has to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole. The M4 Corridor around Newport Plan and subsequent Scheme forms an essential part of the Welsh Government’s vision for an efficient integrated transport system in South Wales.

7. Mitigation

- 7.1 Following the M4 Corridor around Newport Public Local Inquiry, the Welsh Ministers will decide whether to make the statutory Orders and to go ahead with the construction of the Scheme.

- 7.2 If the Welsh Ministers decide to proceed with the Scheme, it would be intended to start construction in July 2018. The new section of motorway would open in autumn 2021 and the reclassification works to the existing M4 would be complete in autumn 2022. However, programmed dates and construction periods may be subject to change depending on factors such as the statutory procedures, actual start date, weather conditions and unforeseen engineering conditions experienced on site.
- 7.3 The demolition of Woodland House would only be required should Welsh Ministers decide to proceed with the Scheme as currently envisaged. The Grade II listed building would not be demolished as proposed within this Statement, unless the Welsh Ministers decided to proceed with the construction of the Scheme, assuming all statutory procedures are completed.
- 7.4 DMRB (Volumes 10 and 11) both suggest possible mitigation where a major impact by way of demolition is unavoidable. Mitigation can take the form of relocation, re-building off-site as a museum exhibit, partial recovery of historic fabric for museum use or recording prior to demolition.
- 7.5 The evidence of Mick Rawlings (WG1.9) and John Davies (WG1.23) address possible mitigation in terms of partial recovery or relocation.
- 7.6 Since the publication of the Statement of Case in March 2017, the Welsh Government has subsequently written to Monmouthshire County Council (PID-19) to further investigate the possibility of relocation and to seek the Council's assistance in finding a potentially suitable site. A meeting is to be held with the County Council on 23 May 2017 to discuss possible sites and any progress will be reported at the inquiry on 20 June 2017. It should be noted that whilst the Welsh Government is actively investigating the re-erection of Woodland House on another site following demolition, a site has yet to be identified and the feasibility of re-erection remains unproven.

8. Environmental Information

- 8.1 Information about bat surveys and associated results was submitted in section 5 of the Statement of Case. Further and updated information on this matter is provided in the evidence of Richard Green (WG1.20).
- 8.2 Whilst I have considered matters of heritage in terms of the listed building, its setting and status, further information is provided in the evidence of Mick Rawlings on this matter (WG1.9).

9. Summary and Conclusion

- 9.1 The need for a solution to the identified transport related problems on the M4 around Newport is well established, and the promoted Scheme is the result of comprehensive development work, consultation and design development.
- 9.2 The M4 Corridor around Newport Scheme is of strategic, national importance, and is considered to be the sustainable, long term solution to the social, environmental and economic problems associated with the main gateway into South Wales.
- 9.3 The proposed Scheme is in accordance with the Welsh Government's priorities for transport, as set out in the relevant policy documents, including but not limited to the Wales Spatial Plan, Wales Transport Strategy, Wales National Transport Plan, National Transport Finance Plan and the Wales Infrastructure Investment Plan for Growth and Jobs. The Scheme is also supportive of the Welsh Government's economic and social policies. It would improve accessibility for people as well as Welsh goods and services to domestic and international markets. When taking into account that proposals for a Cardiff Capital Region Metro system are being progressed by the Welsh Government in parallel with the Scheme, it forms part of the aspirations for a sustainable integrated transport network.

- 9.4 Given its location and the physical constraints of a suitable highway route around Magor, demolition of Woodland House is essential to implement the Scheme. The demolition of Woodland House and its curtilage buildings is unavoidable in the event that Welsh Ministers decide to proceed with the Scheme. Woodland House and its curtilage buildings would not be demolished unless the Welsh Ministers decide to make the statutory Orders and go ahead with the construction of the M4 Corridor around Newport Scheme, following the Public Local Inquiry.
- 9.5 It should also be noted that the Welsh Government continues to engage with Monmouthshire County Council about potential opportunities to relocate the building after demolition, if practicable, on an appropriate public owned site. However, due to potential impediments, such as availability of land, relocation is not considered appropriate to be required as a planning condition.