



NEWARK &
SHERWOOD
DISTRICT COUNCIL

CONSERVATION

Planning advice: historic environment consultation response

The purpose of this report is to appraise the key historic environment considerations that Conservation considers to be materially relevant to the decision-making in the determination of the planning application(s). The report will seek to identify any heritage assets affected and provide an assessment of impact in the context of legal and policy objectives. Any observations given will be dependent on the level of information provided by the applicant, and therefore any advice is at officer level only and without prejudice. These are otherwise the views of the Conservation Team only and should be taken into account alongside other material planning considerations in determining the merits of the application.

CONSERVATION

Planning advice: historic environment consultation response

Application ref	20/01242/FULM
Proposal	Construction of a solar farm and battery stations together with all associated works, equipment and necessary infrastructure.
Location	Land North Of Halloughton Southwell
Date of consultation	15 th July 2020
Case Officer	Honor Whitfield
Conservation Officer	Oliver Scott

Historic environment checklist



Planning (Listed Buildings and Conservation Areas) Act 1990

Newark & Sherwood DC Local Development Framework DPDs

National Planning Policy Framework

Planning Practice Guidance

Historic England Advice Notes

Historic England Good Practice Advice Notes

Conservation Area Appraisals/SPD

Main issue(s)

The main historic environment issue in this case is what impact the proposals will have on the settings of various designated heritage assets. Conservation recognises that the potential benefits of the scheme, which results in the production of electricity from a renewable source, will need to be weighed against any harmful effects.

Heritage assets affected

There are no designated heritage assets within the proposals site, but there are a number of listed buildings in proximity, including (but not limited to):

- Halloughton Manor Farmhouse (Grade II*)
- Church of St James (Grade II)
- Barn at Halloughton Manor Farm (Grade II)
- Pigeoncote, granary and stable block at Manor Farm (Grade II)
- Barn at Bridle Road Farm (Grade II)

These are situated within Halloughton Conservation Area.

- South Hill House (Grade II)
- Brackenhurst Hall (and associated estate elements such as the gateway, lodge, walled gardens) (all Grade II)

In the wider area, the significant national landmark of Southwell Minster (Grade I) and Southwell Conservation Area (CA) which includes a number of significant heritage assets (over 200 listed buildings). The closest listed buildings to the proposal site within Southwell CA include Bath Cottage (Grade II) and associated barns at Bath Cottage (also Grade II).

The Nottinghamshire Historic Environment Record (HER) identifies a range of heritage assets, including:

- Stubbins Farm (Local Interest)
- Halloughton Wood Farm (Local Interest)
- Features with potential archaeological interest

Legal and policy framework

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. In addition, section 72 of the Act requires the LPA to pay special attention to the desirability of preserving or enhancing the character and appearance of the CA. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process.

The Judicial Review *The Forge Field Society vs Sevenoaks District Council* reminds decision-makers of the importance of giving considerable weight to the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990. Mr Justice Lindblom: "As the Court of Appeal has made absolutely clear in its recent decision in Barnwell [Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council (2014)], the duties in sections 66 and 72 of the Listed Buildings Act do not allow a local planning authority to treat the desirability of preserving the settings of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. If there was any doubt about this before the decision in Barnwell it has now been firmly dispelled. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area, it must give that harm considerable importance and weight. 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" (paras 48-49 of the decision).

CONSERVATION

In heritage conservation, therefore, there are two key legal requirements that apply to decisions concerning listed buildings and conservation areas. Simply put, these legal objectives require special regard to the desirability of preserving these types of designated heritage asset (sections 16, 66 and 72 of the Act). The courts have said that these statutory requirements operate as a paramount consideration, 'the first consideration for a decision maker'. Planning decisions require balanced judgement, but in that exercise, there must be a sense of the weight society, through parliament, wishes to place on an objective such as heritage asset conservation. The protection of listed buildings and conservation areas is regarded as highly important, and that should not be undervalued out of respect for both the law and democratic will.

Policies CP14 and DM9 of the Council's Local Development Framework (LDF) Development Plan Documents (DPDs), amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance.

The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 16 of the National Planning Policy Framework (NPPF – revised Feb 2019). When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, for example. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. LPAs should also look for opportunities to better reveal the significance of designated heritage assets when considering new development (paragraph 200).

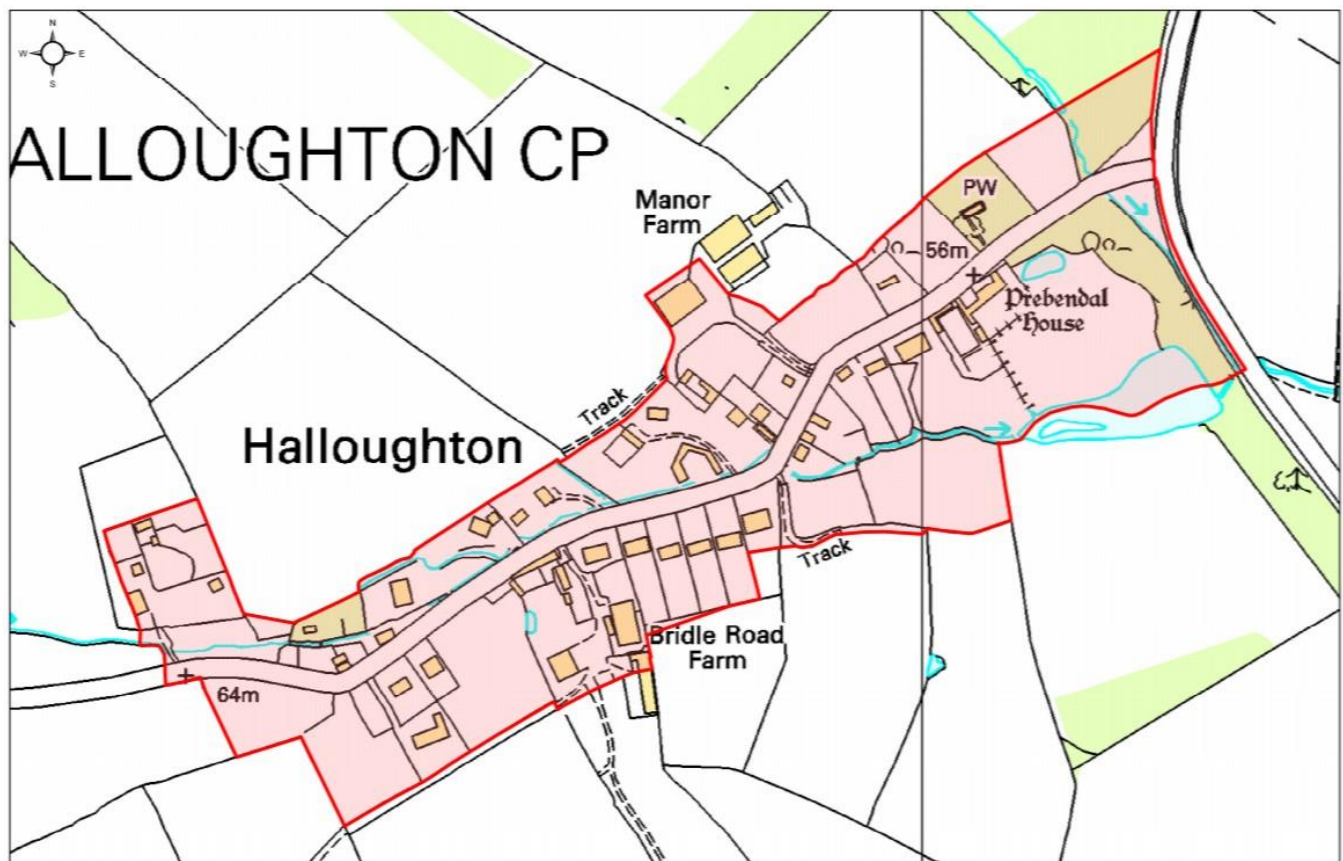
The setting of heritage assets is defined in the Glossary of the NPPF which advises that setting is the surroundings in which an asset is experienced. Paragraph 13 of the Conservation section within the Planning Practice Guidance (PPG) advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it. Setting is not itself a heritage asset, nor a heritage designation, although land comprising a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.

CONSERVATION

Additional advice on considering development within the historic environment is contained within the Historic England Good Practice Advice Notes (notably GPA2 and GPA3). In addition, 'Historic England Advice Note 2: making changes to heritage assets' advises that it would not normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate. The junction between new work and the existing fabric needs particular attention, both for its impact on the significance of the existing asset and the impact on the contribution of its setting.

Significance of heritage asset(s) affected

Halloughton Conservation Area (CA) was designated in 1972. There is currently no adopted CA Appraisal.



The CA boundary covers the entirety of the village, which is small but very charming. It lies within the fold of hills to the south of Southwell, the single linear lane meandering along the

CONSERVATION

valley of a stream. The grass verges, subtly varying in width, high hedges which tightly enclose the lane and many mature trees contribute to the special character of Halloughton CA. Indeed, the landscape surrounding the village is intrinsically linked. The designation statement for Halloughton from the 1970s states: *“In fact it could be said that the visual quality of Halloughton is attributable more to its landscape, than to its buildings”* (Notts County Council, 1972).

The valley position of the village and its linear plan-form mean that the entrances to the village are very important. From the Southwell Road direction, the funnelled entrance is defined by wide verges, hedges and trees, the view including an attractive stone wall lined with trees on the south side of the lane. At the western entrance to the CA, the transition from very open countryside to enclosed village is attractive.

The CA includes a number of fine historic buildings. The Church of St James is Grade II listed (designated 1961), and comprises the remnants of a medieval church (13th century- the surviving element being the east wall), largely rebuilt in the late 19th century by Ewan Christian. The church is stone ashlar with slate roofs. There is a nave, east chancel and bell turret with arched opening. The significance of the Church lies primarily in its special architectural qualities and historic fabric. The Church also enjoys a status within the parish, and whilst it does not include a landmark tower or spire element, it is nonetheless a prominent feature of the lane.



Extract from Sanderson (1835). The plan-form of the village is largely unaltered from this period.

CONSERVATION

The Grade II* listed Manor House is the most significant of the buildings in Halloughton, reflected in its high grading. The house is a prebendal house of Southwell, incorporating a medieval tower house, which is very rare in Nottinghamshire (Pevsner suggest that the only other notable example is the ruin of Beauvale Priory incorporated into Strelley Hall). The earliest fabric of the property is contemporary with the 13th century church remains, evoking group values in the landscape at the eastern end of the village.



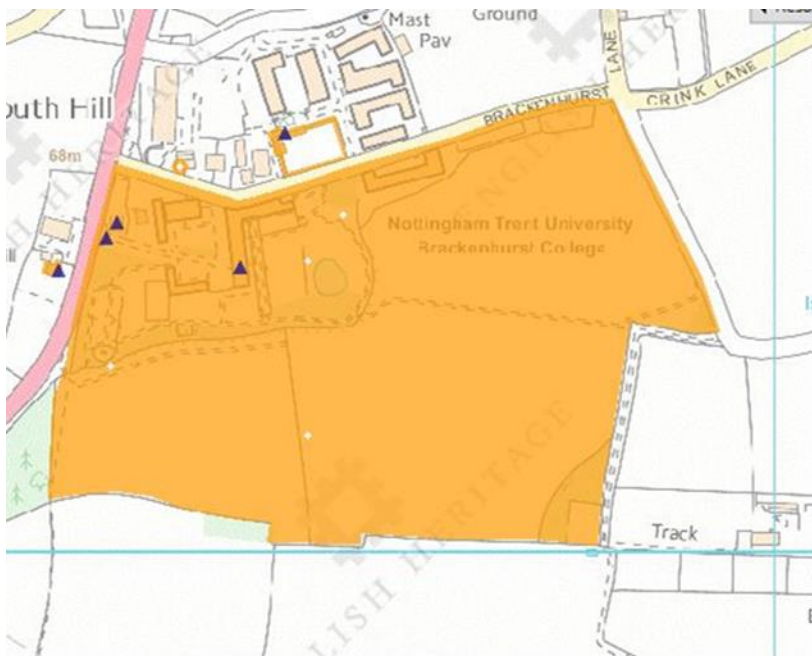
Manor House in 1979 (source: Inspire).

The period buildings elsewhere in the village predominantly reflect 18th and 19th century rural vernacular forms, reflecting historic estate architecture seen extensively within the wider landscape.

To the east of the proposal site is the Brackenhurst university campus. The principal building in this complex is Brackenhurst Hall, a Grade II listed building. The Hall was designed as a country house and includes an attached former coach house, orangery and extensive garden walls. It was built after 1828 for the Reverend Thomas Coats Cane. It was extensively remodelled in the late 19th century for W. N. Hicking before being converted to an agricultural

CONSERVATION

college in 1949. This building was the birthplace of Viscount Allenby (1861-1936), British commander in Palestine during 1917-18.



The parkland to Brackenhurst Hall is identified as an unregistered park and garden. The Hall derives much significance from its landscape, occupying a prime location on higher ground directly to the south of the town. Interestingly, the Hall was designated in 1952, after it had been converted to an agricultural college in 1949.

The Hall comprises buff (gault) yellow and red brick, with stone dressings and hipped slate and lead roofs.

Associated heritage assets include:

- Garden walls and potting sheds 100m northeast of Brackenhurst Hall (Grade II listed);
- Lodge to Brackenhurst Hall (Grade II listed);
- Gateway and railings to Brackenhurst Hall (Grade II listed); and
- South Hill House (Grade II listed; designated May 1992).

South Hill House sits on the west side of the road, comprising a former farmhouse dating to c1800.

Beyond The Hall to the southeast is Brackenhurst Farmhouse, a Grade II listed building.

CONSERVATION

The Robin Hood Way, which is an important walking route, runs through Southwell Park, also an unregistered park and garden, culminating at its northern end with the landmark Minster building, a nationally significant landmark Grade I listed building. The landscape resonance with these heritage assets is palpable, and those who enjoy the network of lanes and footpaths in this landscape are offered many attractive views which can include the Minster and the spire of the Church of Holy Trinity (typically terminating views on approach to Southwell from Nottingham Road).

The adopted Southwell CA Appraisal (2005) provides a useful assessment of the CA, including its origins, settlement layout patterns and architectural interest. The Nottinghamshire Extensive Urban Survey (EUS) Archaeological Assessment for Southwell (English Heritage; 2001) is also helpful. Southwell CA was first designated in 1968 and extended in 1970 and 1993. The existing CA boundary includes the Minster Church and distinctive Prebendal area, the historic commercial centre of King Street and Queen Street, the Burgage and the former hamlets of Easthorpe and Westhorpe. Key features of the CA are the presence of the Minster church, its well-preserved historic layout, the high proportion of listed buildings and unlisted buildings of quality, its strong character areas, significant archaeological interest and its attractive landscape setting. The Minster is a prominent landmark within the town and can be seen for miles around.

The Appraisal advises that Westhorpe has a high proportion of traditional buildings, most of which are listed or make a positive contribution to the character and appearance of the CA. They are characterised by their generally modest scale and their use of consistent building materials, which are normally brick and pantile. The position of the former hamlet located on the south facing slope of Westhorpe Dumble is considered to be a positive feature of the CA.

Bath Cottage and barn range (both Grade II listed) sit in the southwest corner of the Westhorpe character area. This character area is very distinctive and derives significance from the close-knit village form on the escarpment and the openness of the landscape southwards. Bath Cottage is set in this wider landscape and is an attractive late-18th century house with steep roof pitch and simple vernacular detailing.

The wider landscape contains further heritage assets. Grange Farmhouse on Radley Road sits to the northwest for example, and further along that road to the northeast is Halam, which contains a number of listed buildings.

Assessment of proposal

The proposal is for a solar farm with a capacity of 49.9MW for a period of 40 years on land to the north of Halloughton, comprising 13 fields. These fields form a contiguous 'L' plan above the village of Halloughton, and on a northerly line towards the Oxton Road.

Conservation strongly objects to the proposed development.

The impact of such a large industrial development on the immediate setting of Halloughton Conservation Area (CA) is likely to be significantly adverse. The proposal will be prominent in the landscape, and will have the effect of swamping the historic village of Halloughton. This will be particularly noticeable at the entrance to the CA at both east and west entrances, but also from within the CA and from outside where intervisibility is possible (including from bridleways to the south and east).

Impact on individual heritage assets within Halloughton CA is reduced by the presence of extensive hedge and tree screening. However, this mitigation will be less effective in winter. The solar arrays are within 100m of the Church, and abound the CA. The setting of the listed buildings in Halloughton are not limited to the immediate curtilage of those buildings, but includes one's experience of traversing the Main Street and rural setting around the village (there are several tracks and footpaths around the village). The solar panels will be a dominating entity in very close proximity, distracting and fragmenting the intimate rural context of Halloughton.

The proposal site is not part of any formal designated landscape. However, the landscape here has intrinsic character and beauty, and offers attractive walking routes between Halloughton, Halam, Oxton and Southwell. The proposed solar panels and associated infrastructure, as well as access tracks, security fencing and CCTV columns would comprise a significant new element to this landscape. We appreciate that the countryside includes a variety of different forms of development, from traditional farmsteads to modern portal barns. In this case, however, the long rows of panels, internal access tracks and ancillary structures result in a utilitarian form of development that would provide a stark contrast to the unspoilt open qualities of this landscape.

CONSERVATION

We are also concerned about impact on heritage assets at Brackenhurst, including the Hall and South Hill House which is most prominently exposed to the solar farm proposals. Whilst we accept that there is unlikely to be any intervisibility from the Hall itself, there will be an impact on the experience of travelling along the Nottingham Road to and from Brackenhurst. The applicant has not presented any persuasive evidence that there are no material receptors within and close to the historic parkland surrounding the Hall.

The duration of this development is 40 years. For this entire period, the landscape would be irrevocably changed. Although hedges are retained to fields, and further landscape mitigation might be possible, the complete infilling of the fields on what is an undulating landscape ensures that the solar panels would be highly visible. The array of dark grey panels will disrupt the historic field pattern which contributes so positively to the setting of Halloughton CA. The industrial shape and finish of the panels would be very discordant with the patchwork of arable fields and greenery. This area is extremely popular with walkers, and includes the significant Robin Hood Way (which passes in close proximity to Brackenhurst via Westhorpe). Their enjoyment of this landscape and the experience it offers in proximity to heritage assets in Halloughton, Brackenhurst and Southwell will therefore be diminished.

The proposal will have some impact on the rural setting of Stubbins Farm, a non-designated heritage asset. Tree cover and landscaping offers some mitigation in this context.

Notwithstanding the above concerns, we have found no harm to any other identified heritage assets, including listed buildings at Westhorpe and Halam.

Overall, we find the proposal to be harmful to the setting and experience of Halloughton CA, as well as to the setting of listed buildings within the CA, notably the Church of St James and the Manor House. Whilst we accept some of the arguments presented by the applicant with regards to tree and hedge buffers, the solar farm proposal remains a dominating and alien feature to this attractive rural landscape.

Some harm will potentially be caused to the setting of heritage assets within the Brackenhurst complex, as well as South Hill House. Further landscape assessment is required to demonstrate conclusively the assumptions made in the applicant's heritage statement.

CONSERVATION

In this context, the harm to the setting of any listed building is contrary to the objective of preservation required under section 66 of the Act. The proposal is also contrary to heritage advice contained within the Council's LDF DPDs and section 16 of the NPPF. For the purposes of paragraphs 193-195 of the NPPF, the harm identified to the setting of Halloughton CA and listed buildings therein is less than substantial. In their heritage statement, the applicant also accepts that this is the case. However, whilst they argue that this is at the lower end of *less than substantial harm*, we feel that this is at the higher end.

Harm to non-designated heritage assets such as Stubbins Farm requires a balanced judgement. We appreciate that the perceived environmental benefits of the proposal may prove to be compelling when judged against the relative significance of heritage assets such as Local Listings.