

## **Written representation**

**Interested Party Reference number: 20047366**

**Opposition to the solar farm proposals on (a) several general grounds relating to scale of proposals and (b) inadequate assessment by the applicant of the impact on the historic environment, contrary to paragraph 200 and other paragraphs of the NPPF**

### **Summary**

*(a) I make general objections to the scheme as a concerned resident all of which are due to (a) the size of area proposed to be covered by panels and (b) the unprecedented size of each panel and its motorised nature:*

- *Harm to landscape*
- *Harm to wildlife*
- *Harm to amenity*
- *Harm to the historic environment*
- *Risk of crime*

*(b) I also make specific objection regarding the inadequate nature of the applicant's assessment of harm to the historic environment. I am a heritage consultant with many years of experience in the planning system. I consider the applicant's analysis to be inadequate in three specific ways that render their conclusions regarding harm to the historic environment unreliable:*

- *Inadequate identification of non-designated heritage assets (NDHAs) that are not included in the relevant Historic Environment Record, whose significance may be harmed by the proposals*
- *Inadequate assessment of the setting of identified non-designated heritage assets (NDHAs) and the effect of the proposals on their significance*
- *Inadequate assessment of the setting of listed buildings and the impact of the proposals on their significance*

*In my opinion, their submission is contrary to the National Planning Policy Framework, the government's Planning Practice Guidance and Historic England's advice note on setting. I give examples of each type and suggest that there are likely to be many more examples of omissions or inadequacies due to the poor methodology that they have employed.*

### **(a) General grounds of objection**

The following are my general objections to the solar farm, largely related to the scale of what is being proposed both in terms of overall area covered and in terms of the size of the solar panels that are proposed, which are far in excess of more conventional solar arrays that people are used to seeing in the countryside:

Harm to landscape - industrialising effect of a solar farm of this scale - complete destruction of the unique landscape values of this part of Howdenshire. Realistically this will be a permanent loss as once permitted, the solar farm will likely obtain future planning permission to be re-powered,

extending its life indefinitely. There is no planning means of ensuring that it will be removed after 40 years;

Harm to wildlife - displacement of deer, hares and foxes, all of which abound in this area. They will be displaced or die. Destruction of hedgerows on the scale proposed will have a catastrophic impact on bird, small mammal and insect life. This will impact on the birds of prey, buzzards, kestrels, red kite, owls (Barn, Tawny and Little) which I regularly observe in this landscape;

Harm to amenity - The panels are proposed far too close to people's houses in Gribthorpe, Spaldington, Willitoft, and in other places, in some cases surrounding homes on three sides. I understand that these panels are motorised and of a size never before used in the UK. They should be tested for noise and other impacts on amenity before being located anywhere near human habitation. It is not appropriate that the people of this area should be '*guinea pigs*';

Harm to the historic environment - the many listed and non-listed historic buildings of the area derive significance from their rural setting. While a small solar farm would not necessarily harm their settings, the sheer scale of this proposal will permanently change their setting from rural to industrial;

Risk of crime - a development of this scale using solar panels of this size and with motorised components will be attractive to organised gangs of thieves who will target their copper and other components. This has hitherto been a low crime area - this development will attract criminality to our communities.

### **(b) Inadequate assessment by the applicant of the impact on the historic environment**

I am commenting on the proposals in a personal capacity since the organisation that I am a member of is not itself registered to participate. Nonetheless, my professional credentials are relevant to establish that the following observations are robust and credible. I am Dave Pinnock-Humble BA (hons.), MA (Landscape Archaeology). I am a director of a heritage consultancy business, Humble Heritage Ltd. based near Bubwith in the landscape that will be affected by the proposal. The Institute of Historic Building Conservation (IHBC) recognises Humble Heritage as a professional Historic Environment Service Provider. I and my co-director Liz Pinnock-Humble (MA Cantab., MA Distinction, IHBC, MCIfA) have between us over 40 years combined professional post-qualification experience, during which time we have prepared a large number of heritage reports as part of the documentation required for planning permission, listed building consent and so forth.

### **Introduction**

I have read the applicant's document (Document Reference: EN010143/APP/6.1, Environmental Statement: Volume 1, Chapter 7: Cultural Heritage) in conjunction with various relevant appendices. I note the conclusions in the Volume 1, Chapter 18: Summary of Environmental Effects Document Reference: EN010143/APP/6.1. This document presents that overall assessment of residual effects on Cultural Heritage as '*No significant residual effects on cultural heritage are predicted during the construction of the Scheme*' for all stages of the project. Due to the methodological inadequacies of the applicant's assessment I do not consider this conclusion to have been satisfactorily established in line with the requirements of the National Planning Policy Framework (NPPF).

The inadequacies I have identified resolve around three linked issues

1. *Inadequate identification of non-designated heritage assets (NDHAs) that are not included in the Humber Historic Environment Record, whose significance may be harmed by the proposals*
2. *Inadequate assessment of the setting of identified non-designated heritage assets (NDHAs) and the effect of the proposals on their significance*
3. *Inadequate assessment of the setting of listed buildings and the impact of the proposals on their significance*

I illustrate these points below with reference to some examples. Time constraints have prevented me from compiling a list of all the NDHAs (or potential NDHAs) that are not in the Humber HER, from assessing the impact on the settings of the NDHAs, or from evaluating each example of the applicant's assessments. This is time-consuming work for an application of this size, requiring laborious identification and comprehensive assessment of each heritage asset on a case-by-case basis. However, it is work that the applicant should have completed but does not appear to have done. This work should not be left to objectors to undertake.

The examples therefore should not be taken to be any kind of exhaustive list. In fact, in the case of points 1 and 2 especially, there are likely to be multiple other examples. They illustrate rather the systemic weaknesses of the applicant's approach to these issues and result in a lack of confidence in their overall conclusions, which are heavily dependent on a methodology that seems designed to minimise the adequate identification and assessment of historic environment harm.

### **1. Inadequate identification of non-designated heritage assets (NDHAs) that are not included in the Humber Historic Environment Record whose significance may be harmed by the proposals**

In the NPPF 'heritage assets' are a broad category that includes both designated heritage assets (such as listed buildings or scheduled monuments) and non-designated heritage assets (NDHAs):

*'Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).'* (NPPF Glossary)

It is the applicant's responsibility to describe the significance of any heritage assets that may be affected by the proposals. This includes NDHAs. Consulting the relevant Historic Environment Record (HER) is a *minimum* requirement:

*'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.'* (NPPF paragraph 200).

The government's Historic Environment Planning Practice Guidance (PPG) makes clear that NDHAs are not restricted to the buildings/features contained in the relevant HER (in this case the Humber

HER for the most part. Small parts of the scheme are within the North Yorkshire HER area and these comment apply equally in both areas). In fact they can be identified in several different ways, including during the application process. Although local authorities are encouraged to compile a local list, this is not a requirement. East Riding of Yorkshire Council do not maintain a local list:

*'How are non-designated heritage assets identified?*

*There are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes and conservation area appraisals and reviews. Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence.*

*Plan-making bodies should make clear and up to date information on non-designated heritage assets accessible to the public to provide greater clarity and certainty for developers and decision-makers. This includes information on the criteria used to select non-designated heritage assets and information about the location of existing assets.*

*It is important that all non-designated heritage assets are clearly identified as such. In this context, it can be helpful if local planning authorities keep a local list of non-designated heritage assets, incorporating any such assets which are identified by neighbourhood planning bodies. (See the Historic England website for advice on local lists) They should also ensure that up to date information about non-designated heritage assets is included in the local historic environment record.*

*In some cases, local planning authorities may also identify non-designated heritage assets as part of the decision-making process on planning applications, for example, following archaeological investigations. It is helpful if plans note areas with potential for the discovery of non-designated heritage assets with archaeological interest. The historic environment record will be a useful indicator of archaeological potential in the area.'* (Paragraph: 040, Historic Environment PPG)

Historic England recommended at an earlier stage in the present application that: *'We would also expect the ES to consider the potential impacts which the proposals might have upon those heritage assets which are not designated'* (Table 7-2. Statutory consultation responses, Environmental Statement: Volume 1, Chapter 7: Cultural Heritage).

The applicant outlines their methodology for identifying NDHAs in their response to Historic England's comment in Table 7-2, as well as in their Data Sources section (paragraph 7.4.15-16 also paragraph 7.5.5 Environmental Statement: Volume 1, Chapter 7: Cultural Heritage). The methods comprise the consultation of the relevant HERs and a site walkover.

In the case of such a large development with the potential to affect such a large area, it is not adequate to simply consult the HER only. This is a minimum requirement in the NPPF, and an application of this sort demands greater than the minimum requirement. The applicant seems to realise this as they also acknowledge that they attempted to identify additional NDHAs through walkover survey.

However the site walkover was restricted to the areas within the proposed solar farm block (*'fields within the Order limits in order to identify known and previously unknown heritage assets'*), and does not seem to have sought to identify any NDHAs that lay outside the boundaries of the solar farm

blocks and/or in land that is not *'fields'*. There is no justification for this exclusion, which appears arbitrary. The applicant does assess (however inadequately, see below) the impact on NDHAs identified in the HER outside the site boundaries, but for some reason does not seem to have sought to find hitherto unidentified NDHAs outside the site boundaries.

Paragraph 7.5.7 (Environmental Statement: Volume 1, Chapter 7: Cultural Heritage) implies that only one NDHA building (or group of NDHA buildings) was identified through walkover or from any source that was not the HER. This shows the inadequacy of the applicant's approach.

Documentary, cartographic and other resources available online and as deposited within the local archives are mentioned as having been consulted but I can find no evidence that these have been used to identify NDHA buildings. A simple methodology for example might have been to compare the mid-nineteenth century Ordnance Survey maps with their equivalent present day maps to establish which buildings pre-date the 1850s, which would then merit consideration as NDHAs. I have done this below in some of my examples but I can find no evidence that the applicant has deployed even this most basic methodology.

In national policy, the bar for qualification as a NDHA is set relatively low. On the face of it within the area that will be affected by the proposals there are a number of buildings that could be NDHAs, but which are not recorded in the HER. The applicant has made no effort to identify these, to assess their significance, and to consider the impact of the proposed development on their significance. This is an egregious omission especially since Howdenshire is characterised by the excellent survival of historic farmsteads of high and low status, many of which are extremely well-preserved.

Examples of this point include:

Spaldington Grange is not recorded in the HER and consequently is not considered by the applicant as an NDHA. Yet this building appears to be a well-preserved example of a high status historic farmstead probably dating to the late eighteenth century. It appears little changed from its depiction on the 1855 Ordnance Survey map. It will be surrounded on two sides by the visually intrusive solar farm (2f and 2g). In my professional opinion, it is likely that its setting (which closely approximates its historic setting) will be damaged considerably and this will cause severe harm to its significance.

Though landscaping (screen planting) may slightly mitigate this impact, it cannot wholly overcome the visual impact as – when seen from the nearby roads and public rights of way - the grange will be experienced from a semi-industrial context. It is also not possible to mitigate the harm to the historic connection between the grange and its surrounding farmland (quite separate from visual considerations), which helps illustrate its history and provides evidence of its development. None of these factors are even recognised, let alone assessed, in the applicant's documentation.

The nearby Sandwood House is also of likely eighteenth century date (it is certainly shown on the 1855 Ordnance Survey map) and appears to also be an historic farmstead. It is not included in the Humber HER. But again this has not been identified as a NDHA and the impact of the proposed solar farm – it will be sandwiched north and south between two blocks of solar panels (2e and 2f) – on its significance will be even more severe.

Chapel Farm at Welham Bridge is not listed in the Humber HER. Yet it is a mid-nineteenth century chapel, later converted to a school in 1876, and with an interesting history related to the regionally

significant Vavasour family who had links to many of the townships affected by the proposals. It may be built on the site of a medieval chapel (Bubwith Village Trust 1979 *Bubwith: An East Yorkshire Parish*). It is a visually handsome building with a striking appearance, and appears to have been converted into a farmhouse at some point in its history. Its setting will be affected by the proposals. Blocks 1e and 1f may form a visually intrusive element in its setting, especially seen from the A614 as it crosses the bridge over the River Foulness. The distance involved is greater than some other examples, which may diminish impact but, crucially, this has not been assessed at all by the applicant.

Incidentally I can find no evidence that the applicant consulted the excellent book mentioned above, a definitive history of many of the settlements around Bubwith that will be affected by the proposals. It was written by a group of historians in 1979 and was reprinted in 2022 and is widely available. It is perhaps indicative of the quality of research carried out by the applicant that it does not appear in their bibliography at all.

## **2. Inadequate assessment of the setting of identified non-designated heritage assets (NDHAs) and the effect of the proposals on their significance**

The NPPF defines setting thus:

*'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'*

NDHAs have a setting, as confirmed in the PPG **'All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not'** (Historic Environment PPG paragraph 013).

Historic England's advice note on setting states that:

*'Setting is not itself a heritage asset, nor a heritage designation, although land comprising a setting may itself be designated (see below Designed settings). **Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.**'* (Historic England 2017 *'The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (2nd Edition)*, para.9).

The applicant's documentation appears to treat NDHAs as if they do not have a setting (contrary to the NPPF, the PPG and Historic England's advice note). It consequently does not acknowledge that there is even the possibility of harm to the significance of those NDHAs it recognises (largely confined to those that appear in the Humber HER) by the proposed development in their settings.

Examples of this inadequate assessment include:

Willitoft Hall is discussed in para 7.5.38 (Environmental Statement: Volume 1, Chapter 7: Cultural Heritage) where it is described as *'Willitoft Hall (MHU2911) which comprises a moated manorial complex with a chapel (MHU 2908). Historical evidence suggests a medieval settlement, which is recorded in the Domesday survey in 1086 as Wilegetot (MHU10076), surrounds the manorial centre.'*

However, the discussion relates solely to impact on any archaeological remains associated with the hall. It does not discuss its setting or even acknowledge that it has one. Willitof Hall and its associated heritage assets are likely to derive a great deal of significance from its setting within agricultural fields, which are analogous to its setting from medieval times onward. Block 1a will be highly visible from the surrounding roads and public rights of way and approaches very close to the extant buildings and other NDHAs.

There are two moated sites in Spaldington as well as the associated remains of the site of a mediaeval chapel). These are clustered around the extant Hall Farm, which is a farmstead built c.1838 on the site of the Elizabethan Spaldington Old Hall (Bubwith Village Trust 1979 *Bubwith: An East Yorkshire Parish*). Altogether there is a cluster of several entries in the recorded in the Humber HER. The present buildings appear well-preserved when compared to their depiction on the 1855 Ordnance Survey map (including a range of historic farm buildings, which appears to include a rare survival of a horse-gin).

All these NDHAs are on the site of Spaldington Old Hall. However no consideration is given to the impact on their setting of block 2e, which comes right up to the immediate curtilage of the heritage assets. All of the assets, including the moated site that lies immediately adjacent to block 2e, derive significance from their setting in rural fields which approximate the setting of what is clearly an historically important site that dates to at least the post medieval period. It is astonishing that no assessment of this has been made.

### **3. Inadequate assessment of the setting of listed buildings and the impact of the proposals on their significance**

Paragraph 7.7.52 (Environmental Statement: Volume 1, Chapter 7: Cultural Heritage) assesses the impact on Rowland Hall, a grade II listed building. The house is the remains of a late eighteenth century farmstead, clearly shown with its former farm buildings on the 1854 Ordnance Survey map. The applicant acknowledges that it is a 'farmhouse' (Para. 7.7.41). It will be surrounded to the north and east by solar panels. While those to the north (3b) will be separated from the house by the existing railway line, those to the east (3c) will not and approach very close to the listed building.

This historic farmhouse has an historic, functional relationship with the surrounding fields, which contribute to its significance and are crucial to allowing its significance to be appreciated. The surrounding fields form part of its setting that make an important contribution to its significance.

Astonishingly, the applicant claims that '*The surrounding fields do not make a significant contribution to the houses' heritage value*'. For reasons that are unclear, the proposed solar panels in 3c are not considered (only those in 3b) despite the fact that those in 3c will approach right up to the grounds of the house and will represent a very severe visual intrusion. These will cause harm to the house's significance. The poor quality analysis in this example calls into question the other assessments that the applicant has undertaken on the other designated heritage assets.