

Statement on Heritage

Evidence of Laura Garcia

Longhedge Solar Farm, Land East of Hawksworth and Northwest of Thoroton, Shelton Road, Thoroton

Installation of renewable energy generating solar farm comprising ground-mounted photovoltaic solar arrays, together with substation, inverter stations, security measures, site access, internal access tracks and other ancillary infrastructure, including landscaping and biodiversity enhancements.

On behalf of Renewable Energy Systems (RES) Ltd

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1. Author's Background

- 1.1. My name is Laura Cassandra Garcia. I am a Senior Director of the Heritage team at Pegasus Planning Group, a member of the Chartered Institute for Archaeologists (CIfA) at Member level and a Specialist Assessor for the CIfA Validation Committee.
- 1.2. I have practised in the heritage sector since 2002, working as a heritage consultant since 2004. I have been a member of the Chartered Institute for Archaeologists (MCIfA) since 2004. I have a Bachelor's Degree with Honours in Ancient History and Archaeology and I have over 20 years of experience working within the heritage consultancy sector.
- 1.3. I have presented cultural heritage evidence at a number of renewable energy public inquiries and at hearings. I have worked on a wide-range of development projects throughout the UK, including residential, power generation, commercial, industrial, and leisure and recreation schemes. I have gained significant experience in the renewable energy sector, preparing the heritage elements of Environmental Impact Assessments, Heritage Statements, providing feasibility and optioneering advice, and in the management of mitigation works during the construction phase of all types of renewable energy schemes.
- 1.4. I, and the other heritage consultants within the Heritage Team at Pegasus Group, undertake our work in accordance with the Chartered Institute for Archaeologists Code of Conduct.
- 1.5. The evidence which I have prepared and provided for this appeal in this Statement is true and has been prepared and given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true professional opinions.



2. Appeal Background

- 2.1. This Statement on Heritage has been prepared following the decision of Rushcliffe Borough Council (RBC) to refuse Planning Permission for the construction of Longhedge Solar Farm on land east of Hawksworth and northwest of Thoroton ('the site') (22/O2241/FUL).
- 2.2. RBC validated the application on 2nd December 2022. The application was accompanied by a Cultural Heritage Impact Assessment (CHIA CD 1.23) prepared by Neo Environmental which was contained within Volume 3: Technical Assessments of the application pack. The site was also the subject of an archaeological walkover survey (Walkover Survey Report, York Archaeology, 2022 CD 1.23.8) and a geophysical survey (Geophysical Survey Report, Headland Archaeology, April 2022 CD 1.23.9) which informed the conclusions of the CHIA. In line with Environmental Impact Assessments (EIA), a matrix-based approach was adopted as part of the CHIA. I would note that this application was not EIA.
- 2.3. With regard to heritage setting matters, the CHIA concluded that there would be indirect effects on 39 designated heritage assets in the vicinity of the site and in the much wider locality, ranging from moderate to negligible adverse (see Appendix 1 for a list of these assets).
- 2.4. It is my professional opinion that the setting assessments presented in the CHIA adopted an overly cautious approach. For the majority of assets, the CHIA identified no historic associations with the site and a lack of intervisibility with the site and the proposed development due to distance, topography and intervening buildings and vegetation, yet concluded a negligible indirect effect instead of no effect.¹
- 2.5. The CHIA identified a high probability of archaeology within the site from the prehistoric and medieval periods but concluded that a programme of archaeological mitigation (i.e. targeted trial trenching) would appropriately respond to this archaeological potential. Archaeology is discussed within Chapter 11 of my PoE.

Consultation Responses, Case Officer's Report and Decision Notice

- 2.6. A detailed Conservation response was received from James Bate, Team Manager of Planning for Rushcliffe Borough Council, on 6th March 2023 (CD 6.13). These comments were made on the application scheme which has since been amended slightly with the removal of panels to the north of Hawksworth and addition of two hedgerows reinstating historic filed boundaries. This response principally identified harm to the following heritage assets through changes to their settings:

¹ The Conservation response (see below) similarly took issue with the identification of negligible effects on so many heritage assets: "I would take issue with some of the assessments which cite 'negligible harm'. Such phrases should be avoided, the PPG makes clear that all harm is relevant, and no level of harm should be set aside or discounted. The use of language such as 'negligible harm' is misleading in that respect."



Hawksworth

- Hawksworth Conservation Area – less than substantial harm, *“somewhere around the middle of the broad range”*.
- Grade II Listed Hawksworth Manor – less than substantial harm at the lower end of the scale.
- Grade II* Listed St Mary’s Church – less than substantial harm, low.
- Grade II Listed Hawksworth Place – less than substantial harm at the lower end of the scale.
- Grade II Listed Model Farm Buildings at Top Farm – less than substantial harm, *“lower part of the scale”*.

Thoroton

- Thoroton Conservation Area – less than substantial harm, *“somewhere around the middle of the broad range”*.
- Grade I Listed Church of St Helena – less than substantial harm, moderate.
- Grade II Listed Thoroton Hall – *“the scale of this impact on significance is relatively minor”*/ less than substantial harm, low.
- Non-designated parkland associated with Thoroton Hall – minor impact.
- Grade II Listed Manor Farmhouse – less than substantial, *“at the lower end of the scale”*.
- Grade II Listed Thoroton Pigeoncote – less than substantial, *“at the lower end of the scale”*.
- Grade II Listed Stable, Coach House, Blacksmith’s Forge and Adjoining Wall – less than substantial, *“at the lower end of the scale”*.

2.7. The Conservation response briefly discussed *‘heritage assets in the wider setting’*, generally citing no harm or less than substantial harm *“at the far lower end of the ‘less than substantial’ scale”* to unspecified assets in Sibthorpe, Flintham, Orston and Shelton, and the Registered Battlefield at East Stoke. The consultee did, however, have specific regard to Grade II Registered Flintham Hall Park and Garden, suggesting low, less than substantial harm to its significance.

2.8. As part of the Appeal, Statements of Common Ground (SoCG CD 7.9) with RBC and the Rule 6 party have been prepared. In order to narrow the issues discussed at Appeal, it was agreed with the Conservation Officer that the following assets were those which were to be of consideration within the Appeal. Within the SoCG with RBC, it has been agreed that the following assets are of relevance to this Appeal:

- Grade I Listed Church of St Helena;
- Grade II* Listed St Mary’s Church;
- Thoroton Conservation Area;



- Hawsworth Conservation Area;
- Grade II Listed Hawsworth Manor; and
- Grade II Listed Model Farm Buildings at Top Farm.

2.9. I will address the Conservation consultee's comments in detail later in this Statement where these relate to my independent assessments of the relevant heritage assets.

2.10. The Case Officer's Delegated Report was issued on 17th March 2023 (CD 2.1). With regard to built heritage and setting matters, the Case Officer largely reproduced and deferred to the comments from the Conservation consultee. The Case Officer broadly summarised the reasons for the consultee's objection as follows:

"Objects to the proposals and on the basis that it would adversely affect the setting of both Hawsworth and Thoroton Conservation Areas as well as the listed buildings within them. The proposed mitigation measures would create further harm in view out of and into the Conservation Areas."

2.11. With regard to archaeology, the Case Officer confirmed that the Archaeology Officer for Nottinghamshire County Council raised no objection to the scheme subject to pre-commencement conditions/works.

2.12. The Case Officer also noted objections on heritage grounds from Thoroton Parish Council, Hawsworth Parish Council and third parties.

2.13. The Case Officer stated that the proposed development would be contrary to Policy 11 (Historic Environment), Policy 16 (Renewable Energy) and Policy 28 (Conserving and Enhancing Heritage Assets) of the Local Plan Part 1. I note the Policy references are incorrect – Policy 11 is in LPP1 but policies 16 and 28 are both contained within the LPP part 2.

2.14. In the overall planning balance, the Case Officer concluded that the public benefits of the scheme would not outweigh the combined heritage and landscape harm identified. Therefore, the application was recommended for refusal.

2.15. Planning Permission was refused on 30th March 2023. The Decision Notice (CD 2.2) cited two reasons for refusal with the second reason relating to heritage matters, as follows:

"2. The proposed development does not contribute to the preservation or enhancement of the setting of the Hawsworth and Thoroton Conservation Areas and does not contribute to the preservation of the setting of a number of listed buildings within these Conservation Areas. The harm to the heritage assets would be 'less than substantial. Whilst the significant benefits of the proposal in terms of renewable energy are acknowledged the public benefits do not outweigh the harm to the assets of national and local heritage value. As such the proposal is contrary to Policy 11 (Historic Environment) and Policy 28 (Conserving and Enhancing Heritage Assets) of LPP1 that seeks to ensure that there is no significant adverse effect on any historic sites and their settings including listed buildings, buildings of local interest, Conservation Areas,



scheduled ancient monuments, and historic parks and gardens. The proposals would also be contrary to Policy 16 which requires that renewable energy schemes must be acceptable in terms the historic environment and paragraphs 200 and 202 of the NPPF which require that 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 and that this harm should be weighed against the public benefits of the proposal.”

- 2.16. Rushcliffe Borough Council have also alleged in their Statement of Case (CD 7.7) at paragraph 7.16 that the Scheme is contrary to Policy 10 Designing and Enhancing Local Identity with regards to heritage. This policy is not within the heritage RfR and was not referred to by the Case Officer in their assessment and summation of the heritage matters in the Delegated Report.

Written Representations Appeal

- 2.17. An appeal against the decision was lodged with the Planning Inspectorate. The appellant requested that this be undertaken through written representations. The appellant’s Statement of Case included Appendix G which provided a Cultural Heritage Addendum and supporting plates and figures prepared by Neo Environmental.
- 2.18. As part of the initial Appeal, an amended layout was put forward within the documentation. This amended scheme removed the panels which were in proximity to the northern boundary of the Hawksworth Conservation Area. This was in response to consultation comments on the original application and was put forward to further reduce the harm to the significance of the Hawksworth Conservation Area through changes to setting. The pulling back of panels in this area allowed a greater area of open space around the northern portion of the Conservation Area, the view across which has been identified within the Hawksworth Conservation Area Appraisal as being ‘*particularly fine*’. The change in the amended scheme has removed panels from the majority of this view as illustrated at Figure 15 of that appraisal. The removal of this field has allowed a hedgerow to be proposed along the southern area of the panels which would reinstate an historic hedgerow shown on 19th-century mapping.
- 2.19. The Planning Inspectorate subsequently confirmed that the appeal would be determined through the public inquiry procedure.

Background to the Public Inquiry

- 2.20. I was instructed by the appellant to act as the expert witness for heritage on 29th January 2024. Prior to this instruction, I reviewed the documentation submitted and satisfied myself that I could support the Appellant’s case. As part of my work to support the case and in preparation of my proof, I have visited site and its surrounds on three occasions, each time visiting the relevant heritage assets and walking the footpaths in and around the site.
- 2.21. I have undertaken an independent heritage assessment. This Statement presents my independent, professional judgements in line with my professional institution. It supersedes the previous heritage assessments submitted on behalf of the appellant, including the Cultural Heritage Impact Assessment (CHIA) submitted as part of the original planning



application and the Cultural Heritage Addendum submitted with the written representations appeal.

Statement of Case – Rushcliffe Borough Council (CD 7.7)

- 2.22. The RBC SoC confirmed at paragraph 5.5 that the two Conservation Area Appraisal documents for Thoroton and Hawksworth from 2022 have not been formally adopted as Supplementary Planning Documents. They state that these appraisals form part of the Evidence Base of the Development Plan, rather than being part of it. I understand that the level or weight to be given to these documents is, therefore, limited.
- 2.23. The RBC SoC at paragraph 7.15 sets out that RBC will be seeking to discuss the matter of harm to heritage assets, which they allege is both ‘*unacceptable*’ and does not appear to have ‘*benefited from a clear and convincing justification, particularly in relation to the consideration of alternative sites where the benefits could still be delivered whilst reducing, or avoiding, harm.*’ This expands on comments made by the Conservation Officer within his consultation comments (CD6.13) where he sets out his opinion that ‘*all of the benefits of the proposal could be delivered through alternative sites located practically anywhere nationally, owing to the national nature of the electricity grid...*’. He goes on to allege that there ought to be a requirement for an alternative sites assessment based on heritage: ‘*...the findings of Barnwell Manor and Forge Field Society...both concluded that when considering matters of heritage harm, it is legitimate for a decision-maker to consider whether or not the benefits of the proposal...could be attained via alternate means, including alternate sites.*’
- 2.24. I am advised that there is no requirement for an alternative sites assessment for this scheme based on heritage impacts and that the use of the Forge Field Society and Barnwell Manor judgments to try and establish such a requirement is a misinterpretation and misreading of the outcomes of these cases. The evidence of Mr. Cussen discusses the consideration for alternative sites in detail at Chapter 8 of his PoE (CD 7.10).
- 2.25. Paragraph 7.16 of the SoC provides a summary of the position with regards to policy conflict, however it is noted that a number of the policy references are incorrect (LPP1 Policy 28 when it is actually within LPP2) and the wording used within the paragraph is not an accurate reflection of the wording of the policies identified. For example, it states that: ‘*LPP1 Policy 11...and LPP1 (sic) Policy 28 ...seek to ensure that there is no significant adverse effect on any historic sites and their setting*’. This is not the wording of either LPP1 Policy 11 or LPP2 Policy 28, neither of which state nor seek to ensure that a scheme causes no significant adverse effects to be policy compliant.
- 2.26. At paragraph 7.16 of the RBC SoC, the last sentence of this paragraph states: ‘*Finally, the proposal in contrary to LPP1 Policy 10*’. This is presumed to be an error. LPP1 Policy 10 is not listed in RfR2 for heritage, nor was it discussed by the Conservation Officer in his original consultation response or by the Case Officer in the Committee Report. Indeed, under the *Form and Siting* section of the Committee Report, it concludes that ‘*It is therefore assessed on planning balance that the development is acceptable and in accordance with Policy 10 of LPP1*’.

Statement of Case –Rule 6 (CD 7.8)

- 2.27. This Rule 6 SoC has no paragraph numbers – making referencing difficult. Within the Introduction section of the SoC, the Rule 6 party set out their views as to why the Appeal



should be dismissed. At bullet 2, they state the heritage reason, reflecting RfR2, but state that the scheme would be contrary to Policy 1 of LPP1. This policy is not referred to within the RfR2, nor is it mentioned within the Conservation Officer consultation response or in the Case Officer's Committee Report. It is considered that this is an error.

- 2.28. Within this section, the Rule 6 party begin to introduce archaeology and harm to archaeological assets, which they suggest should be an additional reason for refusal. In particular, at bullet 4 in this section, they suggest that the Appeal should be dismissed on the basis that:

“The Appellant has failed to investigate the nature, extent and significance of archaeological remains present on the appeal site, contrary to Policy 29 of LPP2.”

- 2.29. Policy 29 of LPP2 is not cited in RfR2. I would also point out here that neither Policy 29, nor paragraph 200 of NPPF place a requirement for archaeological evaluation to be carried out to support an application.
- 2.30. The Rule 6 SoC at page 13 sets out the case with regards to RfR2. Within this section, there is a conflation of the Conservation Areas of Thoroton and Hawksworth, with the text within the Conservation Area appraisal for one settlement set out as if it applies to both. It is suggested that the Conservation Area Appraisal documents are material considerations within the Appeal, however they have not been formally adopted by the Council and therefore I understand that the weight to be given is limited.
- 2.31. At page 17 of the Rule 6 SoC, they expand their case on their suggested additional reason for refusal on archaeology. Archaeology is discussed within my proof at chapter 11 below.
- 2.32. Archaeology does not form part of RfR2. The Council's Archaeology Officer did not object to the application.

Case Management Conference

- 2.33. A Case Management Conference (CMC) was held on 23rd April 2024. Following this, PINs confirmed they accepted the amended layout for the scheme, including the slight realignment and addition of one hedgerow within the layout.
- 2.34. The changes presented here were the change in the proposed landscaping in the northeastern portion of the Site. Previously, an area of proposed tree planting was put forward with a hedgerow following the curving line of the panel boundary in this location. This was amended to remove the tree planting to prevent these blocking views towards the spire of the Church of St. Helena and the hedgerow was shifted northwards to lie on the alignment of an historic hedgerow – once again reinstating historic boundaries within the Site.
- 2.35. At this CMC, RBC confirmed that they had no concerns with regards to archaeology, subject to conditions.



3. Key Issues & Case Summary

- 3.1. Based on the Delegated Report, the Decision Notice and the RBC SoC, it is considered that the key issues arising in this Appeal are:
- What is the significance of the following assets:
 - *Grade I Listed Church of St Helena;*
 - *Grade II* Listed St Mary's Church;*
 - *Thoroton Conservation Area;*
 - *Hawksworth Conservation Area;*
 - *Grade II Listed Hawksworth Manor; and*
 - *Grade II Listed Model Farm Buildings at Top Farm.*
 - What is the setting of these assets and what contribution does it make to their significance;
 - Whether the Appeal site forms part of the setting of these assets which contributes to their significance;
 - Whether the significance of any of these heritage assets would be harmed by the Appeal Scheme and if so, to what extent;
 - Whether the proposed mitigation planting is harmful to the significance of any of these heritage assets.
- 3.2. Figures showing the locations of heritage assets which have been taken forward for further assessment within this Statement are provided at **Appendix [2]**.

Summary of My Case

- 3.3. This evidence has set out my professional and objective opinion of the Appeal Scheme and the potential for harm to the significance of a small number of designated assets to arise.
- 3.4. The LPA Archaeology Officer had no objection to the application. The Rule 6 SoC asserts that archaeology should have formed a reason for refusal of this scheme due to the alleged '*failure to investigate the archaeological features.*' Archaeology is discussed at Chapter 11 of my proof, where I explain that the application was supported by a Cultural Heritage Impact Assessment, Walkover Survey and Geophysical Survey, all of which identified the potential for archaeology within the Site with the geophysical survey working very well in this area, identifying areas of potential archaeology, along with 'blank' areas of lesser to no archaeology. The Committee Report states in the Historic Environment Section that '*the current assessment comprises a proportionate level of information to inform the determination of the planning application.*'
- 3.5. Trenching has been carried out alongside this Appeal process in order to prevent delays in the construction programme should consent be granted. It is noted there is no



requirement within NPPF paragraph 200 to carry out field evaluation – it is only where this is deemed appropriate, nor does Policy 29 of LPP2 explicitly state that an application must be supported by intrusive archaeological trial trench evaluation. An interim report on the findings of this evaluation is provided at **Appendix 4** of my evidence.

- 3.6. The Conservation Officer identified harm to a number of assets within their consultation response. All the harm identified was less than substantial and no physical harm to the fabric of designated assets was identified.
- 3.7. The Case Officer in the Committee Report extensively reproduced and deferred to the Conservation Officer consultation response. They concluded that the identified harm to heritage assets would not be outweighed by the public benefits of the scheme and refused the application, with second reason for refusal relating to heritage.
- 3.8. Given the large number of assets referenced in the Conservation Officer consultation response and the non-specific identification of assets within the RfR, common ground was sought at the outset with RBC to identify those assets which formed the basis of the RfR and would be potentially affected by the Appeal scheme such that they required consideration within this Appeal.
- 3.9. The SoCG with RBC agreed the list of heritage assets to be considered under this Appeal as:
 - Grade I Listed Church of St Helena;
 - Grade II* Listed St Mary's Church;
 - Thoroton Conservation Area;
 - Hawskworth Conservation Area;
 - Grade II Listed Hawskworth Manor and adjoining Pigeoncote; and
 - Grade II Listed Model Farm Buildings at Top Farm.
- 3.10. This same list of assets is also set out within the RBC SoC.
- 3.11. My evidence sets out a detailed consideration of the significance of each of the identified heritage assets, their setting and whether the Appeal site forms part of the setting and if so, what does it contribute? From this, I have established a robust baseline from which the impact from the Appeal scheme can be assessed and harm, if any, identified clearly, including from where it arises (ie what aspect of the significance of the asset is affected).
- 3.12. Within my evidence, I have identified harm to some of the heritage assets listed above. I have set out my assessment of harm versus the level of harm ascribed within the Conservation Officer response (less than substantial harm = LTSH):

	LPA Conservation Officer	My Assessment
GI Church of St. Helena	LTSH, moderate end of the scale	LTSH, lower end of the scale
Gill* Church of St. Mary and All Saints	LTSH, low end of the scale	No harm
Thoroton Conservation Area	LTSH, middle of the range	LTSH, lowermost end of the scale
Hawksworth Conservation Area	LTSH, middle of the range	LTSH, low end of the scale
Gill Hawksworth Manor	LTSH – at the lower, but not the lowest end of the scale	No harm
Gill Model Farm Buildings at Top Farm	LTSH, in the lower part of the scale	No harm

- 3.13. My assessment agrees with the Conservation Officer in that where harm is found, it is less than substantial. The differences within that scale are minor and there is little between us on all of these heritage assets – even where no harm is found on my part.
- 3.14. The harm identified within my proof is entirely reversible upon the decommissioning of the scheme.
- 3.15. Comments were made within the RBC SoC with regards to the harm arising from the proposed mitigation planting. This is dealt with in my evidence, noting that some of the proposed hedgerows will be reinstating lost historic boundaries, historically this landscape was much more divided into smaller field thus hedgerows are not an alien feature, the proposed height of the hedgerows is not unusual in this landscape and where proposed, given the distance from views, it is likely the proposed planting will be indistinguishable from the current baseline. It is also noted that there is no constraint on the landowner at any time to planting hedges anywhere within his land.
- 3.16. Another comment within the RBC SoC states that because of the harm identified to heritage assets, an alternative site assessment should have been carried out. I am advised that this is an incorrect interpretation of case law and this is discussed in detail in the evidence of Mr. Cussen at Chapter 8.

3.17. In conclusion, it is my evidence that the Appeal scheme will result in less than substantial harm to three of the identified designated heritage assets, the range of which is from the low to lowermost end of the scale. No harm has been identified to three designated heritage assets. This harm needs to be considered within the planning balance against the benefits of the scheme. Public benefits and policy compliance are discussed in the evidence of Mr. Cussen.

3.18. Given the length of my evidence, a brief summary of the assessment for each asset is below:

Grade I Church of St. Helena, Thoroton (NHLE Ref 1272720)

3.19. This is an asset of the highest significance in accordance with NPPF; an 11th century parish church with subsequent alterations with a major restoration in 1869. It is located within the settlement of Thoroton and within the Thoroton Conservation Area boundary. The significance of the asset is formed by its physical fabric which provides the historic, architectural and artistic interest. The asset has historic interest in the surviving historic fabric and architectural detailing of the building and its fixtures, which are of quality. The setting of the asset is formed by:

- Its churchyard, which illustrates the ecclesiastical function of the building and the provision of burial (historic interest) and also facilitates the best views of the building from which the historic, architectural and artistic interests of its external fabric can be most readily appreciated.
- Historic elements of Thoroton settlement which the church was designed to serve and continues to serve (historic interest) and from which there are select glimpses of the church, particularly the spire.
- To a lesser extent, elements of the surrounding agricultural landscape within the parish where it can be demonstrated these elements form the content of key views of the church spire and make a meaningful contribution to the understanding of the church's location within a historic farming settlement.

3.20. The site is considered to make a small contribution to the significance through setting with this derived from the spire and site being co-visible in selected points on the PRow in the northeastern part of the Site and on approach towards Thoroton from the north which allows an understanding of the historic core on the distance. There is no perception of site from within the immediate setting of church or of the site in conjunction with the church from the historic core of Thoroton.

3.21. My evidence has considered in detail the views and approaches to this asset, with reference to the guidance set out within the Historic England GPA 3 (CD 3.36) Setting of Heritage Assets document at p7 which is careful to point out that church spires are often widely visible and concludes that development proposals are unlikely to affect heritage values/significance unless impacting on designed or associative views. My evidence has identified that the views of the spire available from the southern end of Hawksworth looking east are poor quality and incidental views of the top of the spire of church which sites in a different parish which was served by its own church and not significantly associated.



- 3.22. The Appeal scheme will not affect the most important views of the church from the churchyard and the settlement core.
- 3.23. Views travelling south along Cliffhall Lane towards Thoroton will experience a slight change with the additional planting along the Appeal scheme eastern edge with glimpses of panels in the winter months. This will not diminish the ability to understand the approach into Thoroton nor will it make any difference at all to the view of the spire which is currently available. It is a change in a peripheral view, heavily filtered by existing and proposed vegetation.
- 3.24. Views of the spire from the public right of way in the north-east part of the site will be affected by the proposed arrays/enhanced planting however it is noted that there will be no panels in the immediate foreground of these views. Whilst these are public views, the spire is a distant and peripheral element of the wider landscape when moving along this footpath due to the directions of movement, which are not directly towards the church. The set back of panels from this PRoW means that the level and amount of fabric visible of this spire that can be appreciated by the viewer today will remain unchanged with the scheme in situ. The scheme will not block, impede or interrupt views of the spire from this location. This PRoW is not one whose destination is the church. Whilst it does lie within the Thoroton parish, it is simply a footpath, within a wider footpath network in proximity to the church.
- 3.25. In conclusion, the scheme would result in less than substantial harm at the lower end of the scale to the significance of this asset.

Thoroton Conservation Area

- 3.26. The Conservation Area was designated in 1974. There is no statutory provision for the protection of the setting of Conservation Areas within the 1990 Act.
- 3.27. The special interest of this Conservation Area is summarised in the Thoroton Conservation Area Appraisal and Management Plan 2022 (CD 8.2) as:
- *“The village lies in the South Nottinghamshire Farmlands Character Area and within the Vale of Belvoir.*
 - *C18th and C19th Red brick buildings throughout the village.*
 - *The C14th Pigeoncote restored C19th*
 - *Mud walls near St Helenas Church, Smite Farm, and the Pigeoncote*
 - *The grass verges, mature trees and fields all contribute to the rural character.*
 - *Good network of footpaths, bridle tracks and country lanes offering beautiful views of the village and countryside.”*
- 3.28. The setting of this asset is formed by the immediate agricultural landscape which can be most readily experienced from the historic core which gives legibility to the origins as an agricultural, linear settlement and the nearby River Smite.



- 3.29. My assessment has taken account of guidance given in the Historic England HEAN 1 on Conservation Area Appraisal (CD 3.39) at paragraphs 58 and 59 in particular which notes that views towards the Conservation Area from the surrounding landscape are only of particular note where these enable the historic built form of the settlement to be appreciated within the context of its agricultural landscape from important historic routes.
- 3.30. My assessment has taken into account the views mentioned by the Conservation Officer in his consultation response and those identified as key views within the TCAAMP. The Conservation Officer ascribed importance in his comments on this Conservation Area and Hawksworth Conservation Area to the network of footpaths which he stated were shown on 1820 mapping and linked the settlements. My assessment has shown these footpaths to be more modern in origin and of little significance to either Conservation Area.
- 3.31. In consideration of the importance of open space as identified by the Conservation Officer in consultation responses, historic mapping has shown that the landscape surrounding both Thoroton and Hawksworth was originally much more divided into smaller field parcels with more numerous field boundaries and thus the landscape was never this open historically.
- 3.32. The assessment identified the proposed development will have no impact on its intrinsic character or appearance from which the asset derives most of its significance. There will be no change to key sequential views or street scenes within the Conservation Area nor any change to the immediate agricultural setting.
- 3.33. The slight change in character of the Thoroton portion of the site and the slight change in views to the spire of St Helena which marks the location of the historic core will result in very minor harm, less than substantial at the lowermost end of the scale – which will be reversed upon decommissioning.

Grade II Hawksworth Manor and Adjoining Pigeoncote (NHLE Ref: 1243799)

- 3.34. This is an asset of less than the highest significance in accordance with NPPF. It is a mod-17th century manor house substantially extended and raised in height in the 19th century. There is a pigeoncote of 1665, now converted to residential. It is located within the Hawksworth Conservation Area.
- 3.35. The significance of this asset is formed primarily through its fabric which demonstrates its historic, architectural and artistic interest. The asset has historic and architectural interest through the surviving historic fabric and the legibility as a manor house complex – though there have been significant modernisation of the building and its immediate surroundings.
- 3.36. The setting of the asset is formed by:
- Its gardens, which illustrate the long-established domestic function of the property (historic interest) and provide the best views in which the architectural interest of the asset's external fabric can be appreciated;
 - The driveway, which provides the primary approach to the asset (currently and historically) and affords other important views of the external fabric, namely the western front of the house (historic and architectural interest);



- The historic settlement of Hawksworth to the west which the asset forms part of and to which it was closely connected historically, being the manorial residence; and
 - The agricultural surrounds where these can be readily experienced in conjunction with the asset (e.g. in views out from the western elevation of the house), are likely to have been historically associated in terms of landownership, and illustrate the rural setting of the asset.
- 3.37. The site is not considered to make any contribution to significance. There will be little to no visibility of the panels within the scheme from the asset, and no designed views in that direction have been noted. The portion of the site closest to the asset is within Thoroton parish and unlikely to have historic land ownership associations.
- 3.38. Careful consideration was had of the views towards and from this asset including from private locations and it was established that it is likely that only the mitigation planting of the scheme would be visible. The proposed development will have no impact on the immediate setting of the asset or those elements which contribute most to the significance of the asset. The agricultural land nearest the asset will also be unaffected by the development.
- 3.39. With specific regard to the solar arrays proposed in the north-west part of the site, this development will occur on land within the same parish but which is distant and screened from the asset. Any historic association of this land with the asset has been severed and is not tangible, therefore the development of this part of the site will have no adverse impact on the setting of the asset. Glimpsed views of the built form of this asset from private land or from footpaths may experience some change, however these views do not contribute in any way to the significance of this asset. They do not provide any understanding of the elements which contribute to its significance. There will, therefore, be no harm to the significance of this asset arising from the Appeal Scheme.

Grade II* Church of St. Mary and All Saints, Hawksworth (NHLE Ref: 1243797)

- 3.40. This is an asset of the highest significance as defined by NPPF. A church of 13th century origins with extensive rebuilding in later centuries. It holds a reset 11th century tympanum. It is located within the Hawksworth Conservation Area.
- 3.41. The significance of this asset is formed by its built fabric which demonstrates its historic, artistic and architectural interest. The historic and architectural interest are demonstrated by the surviving historic fabric and fixtures, and the church as the location of the core of the settlement.
- 3.42. The setting of the asset is formed by:
- Its churchyard, which illustrates the ecclesiastical function of the building and the provision of burial (historic interest) and also facilitates the best views of the building from which the historic, architectural and artistic interests of its external fabric can be most readily appreciated.
 - The junction of Main Road and Tower Street, from which there are important public views of the church in which its architectural and artistic interest can be appreciated,

and which illustrate how the church was the focal point of the medieval settlement (historic interest).

- The neighbouring former rectory, with which it possesses group value.
 - Other historic elements of Hawksworth settlement which the church was designed to serve and continues to serve (historic interest) and from which there are select glimpses of the church, especially its tower.
 - To a lesser extent, elements of the surrounding agricultural landscape within the parish where it can be demonstrated these elements form the content of key views of the church tower and make a meaningful contribution to the understanding of the church's location within a historic farming settlement.
- 3.43. The site is considered to make a very minor contribution to the significance through it being within the same parish as the asset. It is noted that the use of the land is incidental to the contribution the site makes to this particular asset. The current agricultural function does not contribute to the significance of the asset.
- 3.44. The proposed development will not affect the most important views of the church i.e. from the churchyard and within the historic settlement core. From the wider setting of the church, the development will not affect long-range glimpses of the church when approaching via the Main Road and Town Street, or the public rights of way from the south and west. There will be no views of the site and the church approaching from the west, along Hawksworth Road or the unnamed road between Thoroton and Hawksworth due to topography and existing vegetation outside the site boundary.
- 3.45. The introduction of solar arrays in the site will interrupt the long-range glimpses of the uppermost part of the church tower in the winter months from the PRoW in the northeastern portion of the site, but these are not key views which contribute to the significance of the asset. In addition, these are views across a modern landscape, from a modern PRoW which provide views which are not a reflection of the historic landscape which was far more sub-divided and enclosed.
- 3.46. As such, the Appeal scheme will not result in any harm to the significance of this asset through changes to setting.

Grade II Model Farm Buildings at Top Farm (NHLE Ref: 1243799)

- 3.47. This is an asset of less than the highest significance in accordance with NPPF. It is a 19th-century model stable range and adjoining stables with an off-centre tower on the Town Street frontage.
- 3.48. The significance of this asset is primarily displayed through its built fabric. This demonstrates the historic, architectural and historic interest of the asset. The historic interest is formed by the evidence the building provides for the wealth of the settlement and the success of the agricultural economy during this period. The architectural interest is formed through the ornate detailing, particularly on the tower which shows the skill of the architect and wealth of the owner.
- 3.49. The setting of the asset is formed by:



- The historic boundary walls give legibility to the original extent and subdivision of the farm complex (historic interest) as well as possessing architectural interest in their own right.
 - Other residual elements of the historic farm complex, such as the access points from the north and north-west, also contribute in terms of understanding the historic experience of the complex.
 - The most immediate historic elements of the settlement, especially Town Street and its associated buildings, contribute in terms of understanding the intended location of the farm complex on the southern side of the village and the historic intent for the asset's built form to be admired from these main thoroughfares.
 - Whilst the extent of the historically associated landholdings is unknown, these landholdings were likely located within the same parish and probably included the agricultural land to the south. This agricultural land to the south makes some contribution in terms of giving legibility to the immediate agricultural hinterland of the asset and its position on the southern edge of the settlement, especially in the views from the public right of way.
- 3.50. The site is not considered to make any contribution to the significance of this asset. Any historic connections being within the same parish are long since severed.
- 3.51. Within my evidence I noted that the top stages of the tower were originally a dovecot. The Conservation Officer ascribed harm to the Grade II Model Farm Buildings at Top Farm on the erroneous assumption that the elevated tower was a lookout point and therefore long-distance views would contribute. However, as the tower was a dovecot historically, this is not the case. The windows in the top floors of the tower are a modern addition.
- 3.52. The only element of surrounding agricultural land which is identified as contributing to significance is the land to the south which gives legibility to the former farm complex. This agricultural land will not experience any change as a result of the Appeal scheme. The development is not anticipated to be visible in views from the tower and in any case, these equate to modern amenity and not historically designed views.
- 3.53. The site does not facilitate any key or designed views of the model farm buildings that would be interrupted or adversely affected by the proposed development.
- 3.54. The Appeal scheme will therefore cause no harm to the significance of the asset through change to setting.

Hawksworth Conservation Area

- 3.55. This Conservation Area was designated in 1974 with the boundary most recently updated in 2022. There is no statutory provision for the protection of the setting of Conservation Areas within the 1990 Act.
- 3.56. The special interest of the asset is summarised in the 2022 Hawksworth Conservation Area Appraisal and Management Plan (HCAAMP) (CD8.1):
- "C18th and C19th Red brick and pantile roof buildings throughout the village.



- 19th century W.B. Stubbs Engineering Works in the north of the village.
 - Norman church with 19th century brick tower.
 - Brick and stone walls define property boundaries along the highways.
 - Verges on entrances to and throughout the village, well maintained by village residents. Extensive daffodil displays along village verges.
 - Grass triangle at the top of Town Street with “Geoffrey’s Tree” a focal point for meetings and social visits.
 - Good network of footpaths, bridle tracks and country lanes offering beautiful views of the village and countryside.”
- 3.57. The setting of the Conservation Area is those parts of the immediate agricultural landscape which can be most readily experienced in conjunction with the historic built core and therefore give legibility to its origins and development as an agricultural settlement.
- 3.58. The site makes a very small contribution to the significance of the asset as it lies within the same parish with this contribution principally deriving from the agricultural land located immediately north-east of the designation boundary due to this being within the same parish and experienced when entering and leaving the settlement via Main Road.
- 3.59. My evidence has considered carefully the response of the Conservation Officer and the various comments about the associations with Thoroton and the openness of the landscape in-between and considered if that contributes to significance, as well as looking at each viewpoints into, around with within Hawksworth to understand which contribute to significance. In particular a key viewpoint identified at Figure 15 of the HCAAMP was considered as this looked over the previous version of the site (the panels are now removed from this location) and identified this as a fine view over open countryside. I noted this view was located within private land and would only now contain panels at a distance, with intervening vegetation filtering views. Panels would not be immediately visible within this view.
- 3.60. The solar arrays will be readily perceived when travelling along the public footpath through the north-west part of the site, and these will impede current, long-range views of the north-east edge of the conservation Area. However, it is the engineering works that is the dominant built form, the public right of way is not a historic route, and there were formerly intervening field boundaries that would have prevented such views in the past.
- 3.61. Enhancement boundary planting may reduce the perception of the agricultural land within the south-east part of the site in views out from the southern part of Hawksworth. However, these are incidental views of land that lies in a different parish and is only perceptible insofar as it affords poor-quality, distant glimpses of the church spire.
- 3.62. The introduction of the solar farm to a small part of the wider setting of the Conservation Area will result in less than substantial harm to the significance of the asset at the low end through change to its setting arising from the change and the slight perception of the panels when entering the Conservation Area from the north. This harm arises specifically from the development within the parish of Hawksworth only.



4. Assessment of Heritage Matters

Legislation and Planning Policy

- 4.1. Details of the heritage legislation and planning policies which are considered relevant to this Appeal are provided at **Appendix 5**.

Methodology

- 4.2. The full methodology utilised in the preparation of the assessments which are set out within this Statement is provided at **Appendix 6**.

5. Grade I Listed Church of St Helena, Thoroton

- 5.1. The Grade I Listed Church of St Helena was not cited by name within the second reason for refusal; however, the Conservation consultee (in their written response) identified the development proposals as causing a moderate level of less than substantial harm to the significance of this asset through change to its setting. This asset has also been identified within the RBC SoC (CD 7.7) and SoCG (CD 7.9) as an asset to be considered within this Appeal.



Plate 1: Church of St Helena, west elevation.

Description and Historic Development

- 5.2. The Church of St Helena was added to the National List at Grade I on 1st December 1965 (NHLE 1272720). The List Entry describes the asset as follows:

“Parish church. C11, C12, C13, C14; restored, chancel rebuilt, re-roofed and re-seated by J. H. Hakewill, 1869. Coursed and random rubble, dressed stone and ashlar. Ashlar dressings. Lean-to and gabled plain tile roofs with coped gables and crosses. External stone gable stack to north. West tower, nave, north and south aisles, vestry, chancel, south porch. West tower, C14, 3 stages, has chamfered and moulded plinth, 2 string courses, restored corbel table with masks and 4 gargoyles. Quatrefoil pierced balustrade. Setback octagonal spire with 3 tiers of gabled lucarnes with crosses and cusped double lancets. Above, weathercock. To west, 2 pairs of corner buttresses, 3 setoffs. North east and south east corners have each a small buttress. South east corner has 2 stage canted stair turret with slab roof. 3 stair lights. First stage has to south, a lancet. To west, large cusped crocketed ogee headed niche with finial, flanked by a pair of mutilated angels in moulded panels. Above, gabled hood mould with finial. Niche contains octagonal tripartite bracket. Second stage has to south, cusped ogee headed lancet. Third stage has 4 double lancets with ogee reticulation, hood moulds and mask stops. Nave clerestory has on each side 3 C19 quatrefoil windows. North aisle, 3 bays, has chamfered plinth, band, and eaves. West end has cusped ogee headed single lancet. North side has 3 C19 cusped triple lancets with chamfered and rebated four centred arched reveals. Single bay vestry, mid C19, has chamfered string course. North side has cusped ogee lancet. East end has re-set C11 splayed lancet with hood mould. Above it, fragment of C11 arch with cable moulding. Chancel, 2 bays, has chamfered string course and east end has sill band and pair of flanking buttresses. Early C14 style triple lancet with moulded surround. South side has stepped sill band. To west, single and to east, double C14 style lancets. All windows have hood moulds with uncarved stops. South aisle, 3 bays, C15. Moulded string course and parapet. A corner buttress at each end. Rendered plinth at west end. South side has 2 C15 triple lancets with ogee reticulation and hood moulds. South porch, C19, has string course, chamfered eaves, and pair of flanking buttresses. Roll moulded doorway with hood mould and uncarved stops. Principal rafter roof with collars. Chamfered and pointed inner doorway with late C18 Gothic panelled door. North arcade, C13, restored, 3 bays, has 2 round piers and responds. Moulded round bases and capitals. Double chamfered and rebated arches with remains of scrolled imposts. Hood mould with uncarved stops. Late C13 south arcade, 3 bays, has 2 octagonal piers and responds. Moulded octagonal bases and capitals. East respond has nailhead band. Double chamfered and rebated arches with hood moulds. King post roof with curved struts and arch braces. Tower arch, C14, double chamfered and rebated, has hood mould and mask stops. Tower chamber has no architectural features. North aisle has plain lean-to roof. West end window has stained glass, 1868. South aisle has similar roof. Easternmost window has stained glass, c.1909.

***Chancel arch, 1868, chamfered and rebated, with uncarved imposts. Chancel has to north, pointed opening to vestry and chapel with oak screen in C15 style, 1937. East end has sill band and moulded window reveal with shafts. Stained glass signed "Lavers, Barraud and West lake, London, 1869". South side has to east, corner piscina in C13 style, moulded pointed openings, round shafts and hood moulds. To its right, window seat. 2 windows with stained glass, 1869, signed "Lavers, Barraud and Westlake". Plain arch braced principal rafter roof. Vestry converted to chapel has moulded square opening in east wall. Lean-to roof. Fittings include plain chamfered round font with C14 base, restored. Choir stalls, clergy desks, altar rail, square pulpit, oak, 1937. Matchboard benches, 1869. 6 early C19 benches with ogee ends and fleur de lys finials. C19 wood lectern. Small late C17 table, with splayed turned legs and chip carving. Monuments include slate tablet with Latin inscription to Gulielmi Barrett, 1760. Panelled marble war memorial tablet with arched head containing wreath, 1919."* (Appendix 3)**

- 5.3. In summary, the asset is a traditional stone-built parish church that is thought to be of 11th-century origins, but which was substantially rebuilt, extended and refurbished over subsequent centuries as is typical of most parish churches. The west tower, which has been dated to the 14th century, is composed of three stages, culminating in a spire. A major restoration campaign was overseen by the architect John Henry Hakewill in 1869.
- 5.4. The First Edition (1883–84) Ordnance Survey map (Plate 2) illustrates the church within its graveyard, the boundaries of which have essentially remained unchanged. The graveyard was already flanked by built form on its south and west sides at that time. Although the buildings are not labelled on the map, the one to the west corresponds with the present-day Manor Farmhouse.
- 5.5. Since the 1883–84 map was published the village has expanded, which has included built development to the west of the church along the main road through the village.



Plate 2: Extract of First Edition (1883–84) Ordnance Survey map showing St Helena's Church (marked with blue arrow) and its immediate surrounds.

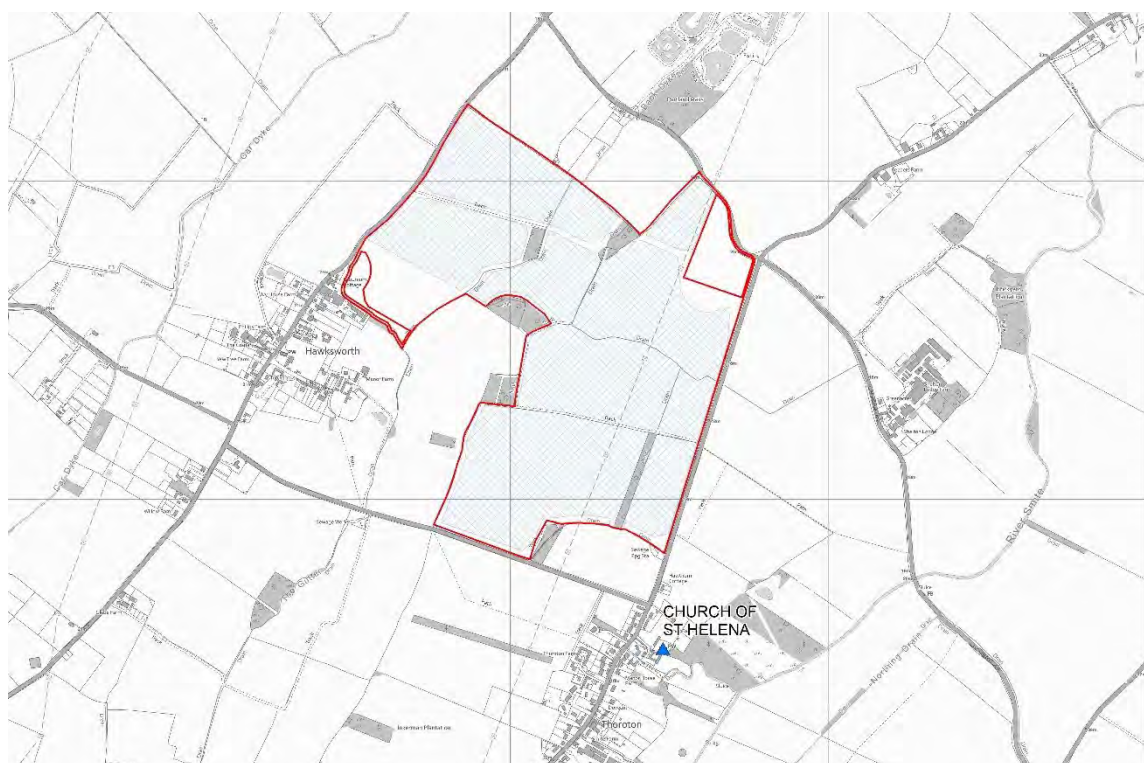


Plate 3 Location of GI Church of St. Helena and the Appeal scheme



Setting, Approaches and Views

- 5.6. The immediate setting of the church comprises its churchyard which broadly follows the late 19th-century boundaries. It is from the churchyard that the external fabric of the church can be best appreciated.
- 5.7. Elements of the built settlement of Thoroton lie north-west through to the south of the church. These include historic buildings immediately adjacent to the churchyard which can be most readily experienced in conjunction with the church, such as Manor Farmhouse (grade II listed) (Plate 5).
- 5.8. Agricultural land and woodland lie north-east through to south-east of the church, however this is not readily experienced from within the churchyard. There is a very strong sense of enclosure within the grounds of the church. The churchyard is heavily screened by dense vegetation around the boundary and built form. There are glimpses of views available to the south, but these are across the grounds of Thoroton Hall and are not representative of views of the surrounding agricultural landscape.
- 5.9. The principal approaches to the church are via the main roads/lanes from the north, south and west. This was also the case historically; Henry Steven's 1820 map of Newark-on-Trent (Plate 4) records these routes though I do note that the footpath which leads northwest from the western side of Thoroton and the path leading southeast from the southeastern edge of Hawksworth are both not shown on the 1820 Stevens map. When approaching Thoroton via these roads, the spire can be distantly glimpsed, and this varies to degrees depending on the presence of intervening vegetation and seasonal leaf coverage.
- 5.10. There are also public footpath approaches into the village (and in the general direction of the church) from the west and south-east in which the spire can be seen. The quality of such views varies considerably depending on the distance and intervening built form and vegetation which screen and filter views.
- 5.11. The historic and ongoing function of the church as a place of worship means that it was not designed to afford views out across the wider landscape. Instead, it was designed to be a landmark building visible widely across the parish, as exemplified by the heightening of the tower and the introduction of the spire. The height of the spire means that the building can be glimpsed from numerous vantage points including the private fields, roads and public rights of way that surround the village.



Plate 4: 1820 Henry Steven's Map of Newark on Trent.

Note the footpath leading northwest from the western edge of Thoroton which exists today is not shown, nor is the footpath leading southeast from the southeastern edge of Hawksworth. Also, the route of the footpath within the site is not on the modern alignment. It enters the site from the north, from Longhedge Lane, and runs southwest, rather than directly west.

Statement of Significance

- 5.12. The Grade I listing of St Helena's Church highlights its designation as a heritage asset of the highest significance as defined by the *NPPF*.² This significance is consolidated by its inclusion within the boundaries of the Thoroton Conservation Area.
- 5.13. The heritage significance of the church is principally embodied in its physical fabric. It derives historic interest from its form and character as a parish church of multiple phases, its association with notable individuals, including architects and artisans, and its community value as a still-functioning place of worship. Architectural and artistic interests are embodied in its historic fabric, fixtures and fittings which are of various ages. Whilst the earliest features are of particular interest, later additions also contribute to these interests

² DLUHC, *NPPF*, para. 206.

due to the quality of craftsmanship. The building also possesses archaeological interest due to its medieval (probably 11th-century) origins and the potential for there to be concealed or buried remains that yield new information about the development of the building as an ecclesiastical site.

5.14. The setting of the church also contributes to its significance, although the significance derived from its setting is less than that derived from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its "setting") which are considered to contribute to its heritage significance are summarised below (in order of importance):

- Its churchyard, which illustrates the ecclesiastical function of the building and the provision of burial (historic interest) and also facilitates the best views of the building from which the historic, architectural and artistic interests of its external fabric can be most readily appreciated.
- Historic elements of Thoroton settlement which the church was designed to serve and continues to serve (historic interest) and from which there are select glimpses of the church, particularly the spire.
- To a lesser extent, elements of the surrounding agricultural landscape within the parish where it can be demonstrated these elements form the content of key views of the church spire and make a meaningful contribution to the understanding of the church's location within a historic farming settlement.

5.15. With further regard to the last point, Historic England provides specific guidance on setting and church towers/spires which is applicable here:

"Being tall structures, church towers and spires are often widely visible across land- and townscapes but, where development does not impact on the significance of heritage assets visible in a wider setting or where not allowing significance to be appreciated, they are unlikely to be affected by small-scale development, unless that development competes with them, as tower blocks and wind turbines may. Even then, such an impact is more likely to be on the landscape values of the tower or spire rather than the heritage values, unless the development impacts on its significance, for instance by impacting on a designed or associative view."³

³ Historic England, GPA:3, p. 7. CD 3.36

Any Contribution of the site to Significance through Setting

- 5.16. The eastern half of the appeal site is located within Thoroton parish (which was historically served by the church), although historically this was a secular manor and there is no known evidence of a direct functional association between the church and the site (i.e. there is no record of it being glebe land).
- 5.17. There is no perception of the site from the immediate setting of the church. The site is screened by intervening vegetation and built form when looking out from the churchyard in its direction (Plate 5). Similarly, there is no perception of the site in conjunction with the church from the public realm within the historic built-up settlement core of Thoroton.



Plate 5: North-facing view towards the site (not perceptible) from within the south-west corner of the churchyard of St Helena.

The southern end of Grade II Listed Manor Farmhouse is visible.

- 5.18. The church spire is visible from select parts of the site – primarily the eastern portion from the ProW within the northeastern portion of the site and its immediate vicinity depending on the topography and intervening vegetation.
- 5.19. There are views from eastern part of the site, when traversing the site on the PRow which runs westwards from the road entering Thoroton from the north though I note there are no panels proposed adjacent to this PRow in this eastern location. There are public glimpses

of the spire when travelling in a southerly direction along Cliffhill Lane which runs parallel with the east site boundary. The site itself is largely screened from view when moving south along this road by boundary hedgerows and the spire is variably screened and filtered by intervening trees. In addition, the proposed panels will be set back from the eastern edge and a permissive path introduced to allow a safer way for pedestrians to move along this fast road. This screening will be more pronounced in the summer months when vegetation is in full leaf. Due to the position of the church in relation to the site, it is the openness of the agricultural land on the opposite side of the road (the eastern side) and not the site which affords long-range glimpses of the spire. The eye is drawn to this land on the opposite side of the road because the boundary hedgerows have recently been cut and relaid (Plate 6). The church spire is more readily perceptible when stood adjacent to the south-east corner of the site, although the site itself is located behind the viewer (Plate 7).



Plate 6: South-south-west-facing view along the road that runs parallel with the east site boundary.

The site (located right of frame) is largely screened from view by the boundary hedgerows and other vegetation and solar panels will be set back with a permissive footpath adjacent to the hedgerow. The spire of St Helena's Church can be distantly glimpsed (indicated with blue arrow) beyond an intervening tree. The recently cut and relaid hedgerows on the side of the road opposite the site can be seen left of frame.



Plate 7: South-facing view towards Thoroton from adjacent to the south-east corner of the site (near the Thoroton sewage pumping station).

There is a filtered glimpse of the spire of St Helena's Church (indicated with blue arrow).

- 5.20. From the public right of way that passes through the north-eastern part of the site, the spire is distantly, and only vaguely, perceptible in south-facing views (Plate 8). This is a well-established public right of way, however it has only been mapped on its current alignment from 1921 onwards. Prior to this, the route was more diagonal, running from the northeastern corner of the field and the northern boundary to a point slightly north of the woodland where the current path cuts through. The alignment as it is today follows an historic field boundary which was shown on the 1820 Stevens map. This route is not a direct approach to the church; due to the west-north-west to east-south-east alignment of this public right of way, the spire is not the focal point when moving along this route but is instead part of peripheral, wider views. It is the case that the views from the PRoW are located in the eastern portion of the site which lies within the parish of Thoroton, however it cannot be said that this distant and glimpsed view of the spire is particularly illustrative of the key elements which contribute to its significance.
- 5.21. The amended layout of the scheme has introduced a new hedgerow to the south of this footpath which will partially reinstate a former historic field boundary as shown on the 1883 Ordnance Survey map and help to screen views of the panels further south. This proposed hedgerow will help to reinstate lost historic features into this landscape.



Plate 8: South-facing view towards Thoroton from the public right of way within the north-east part of the site. Note – there will be no panels in the foreground of this view, the panels are set back south by some distance from this PRow with new hedgerow planting proposed between the PRow and the panels

The spire of St Helena’s Church can be distantly glimpsed (location marked with blue arrow).

- 5.22. There are also select vantage points in the wider area where parts of the site are perceptible in conjunction with the church spire; however, the quality of such views tend to be poor due to distance of the spire and/or intervening landscape elements, such that these equate to incidental rather than key views, or else the site itself is only vaguely or peripherally experienced in relation to the spire.
- 5.23. An example of the former is the south-east-facing view from the southern part of Hawksworth, looking through the gated driveway entrance to Top Farm. This affords a distant glimpse of the church spire, but this is only vaguely perceptible and visibility is impeded by the intervening gates (Plate 9). Furthermore, this is a view from a different parish (Hawksworth) which was served by its own parish church, therefore the visibility of St Helena’s spire cannot be regarded as designed or significant. The panels of the Appeal Scheme will not be visible from this location due to the topography and existing intervening vegetation though the proposed landscape mitigation may make the hedgerow in the ridge appear more prominent and taller.



Plate 9: South-east-facing view from the gated driveway to Top Farm, Hawksworth.

The site is not visible from this location, however mitigation planting will be visible along the ridge and the spire of St Helena's Church can only just be discerned beyond this (location indicated with blue arrow).

- 5.24. The spire can also be glimpsed at the very southern extent of Hawksworth, looking east. Again, only the top of the spire can be seen at a distance. This is an incidental view. The Appeal Scheme will not be visible in this view, though landscape mitigation may make the hedgerow along the ridge in the distance slightly more prominent. More likely is a scenario in which the landscape mitigation is, at that distance, indistinguishable from the already extant planting.
- 5.25. Examples of views where the site is only vaguely and peripherally experienced in relation to the spire include those from the road and the public right of way that extend west of Thoroton. From these routes, there are distant and heavily filtered glimpses of the church spire in which the southern part of the site can be perceived but is peripheral to or behind the viewer. In addition, the Scheme only extends southwards to the road for a very short span of approximately 280m and then the Scheme will be behind a proposed belt of woodland planting, in keeping with the existing woodland belts existent within the site and its surrounds. In any case, there is very limited perception of the site because of intervening vegetation, especially the hedgerows along the southern site boundary. The quality of views from the public right of way are particularly poor because the spire is heavily filtered by intervening trees (even during the winter months) and the focal point of views are the recently constructed red brick dwellings on the western edge of Thoroton

(Plate 11). The quality of the view is also negatively influenced by the existing row of pylons and overhead lines which one has to pass beneath when moving east or west along this PRow with a pylon located directly south of the PRow, with no intervening hedgerow within the same field. The site is peripheral and largely screened from view from this same vantage point (Plate 12). This PRow is not shown on the 1820 Henry Stevens map, but is shown on the 1883 Ordnance Survey map which also shows the route passing through a network of much smaller field parcels, with numerous hedgerows and boundaries indicating that this route was, historically, much more enclosed.



Plate 10: East-south-east-facing view from the road adjacent to the southern boundary of the site.

The church spire is indicated with a blue arrow. The site is visible left of frame through the break in the boundary hedgerows – though it is noted that panels will be set back from the boundary and be behind proposed woodland planting.



Plate 11: East-facing view from the public right of way that extends west of Thoroton – note the overhead power lines and modern development within Thoroton Conservation Area.

The church spire (which is heavily filtered by intervening trees) is indicated with a blue arrow. The site is located out of frame to the left.



Plate 12: North-facing view towards the site from the same vantage point as Plate 9.

Trees within the site are distantly perceptible; however, the agricultural land is screened from view by the intervening hedgerows. The church spire is located out of frame to the right.

- 5.26. Overall, the site makes only a very small contribution to the significance of the St Helena's Church through setting.

Impact Assessment

- 5.27. The nearest solar arrays will be positioned over 340m north of the church and separated from the northern edge of Thoroton settlement by a field and further woodland planting.
- 5.28. The proposed development will not affect the most important views of the church i.e. from the churchyard and within the historic settlement core.
- 5.29. From the wider setting of the church, the development will not impede long-range glimpses of the spire when entering Thoroton via the main roads and lanes, including those that pass immediately south and east of the site, because views do not oversail the site.
- 5.30. Furthermore, views from most public rights of way that surround the church will be unaffected because the proposed development will not be visible, or it will be behind the viewer as they look towards the spire.



5.31. The proposed development will only affect the following views:

- Private views from within the site;
- Public views from portions the public right of way that runs through the north-east part of the site;
- Views when travelling south along Cliffhall Lane; and
- Views from southeastern part of Hawksworth

5.32. The private views of the spire from within the site are the result of the landmark status of the church which makes it widely visible across the surrounding landscape. The introduction of solar arrays will impede these private views; however, they equate to incidental views.

5.33. Similarly, views of the spire from the public right of way in the north-east part of the site will be affected by the proposed arrays/enhanced planting however it is noted that here will be no panels in the immediate foreground of these views. The panels are set back, towards the base of the gentle slope upon which the PRoW is situated with a proposed hedgerow, reinstating an historic field boundary between footpath and panels. Whilst these are public views, the spire is a distant and peripheral element of the wider landscape when moving along this footpath due to the directions of movement, which are not directly towards the church. A viewer would be required to stop and purposely look southwards when travelling along the path to view the spire – it is not the destination of a terminus of the view. In addition, the set back of panels from this PRoW means that the level and amount of fabric visible of this spire that can be appreciated by the viewer today will remain unchanged with the scheme in situ. The scheme will not block, impede or interrupt views of the spire from this location. This PRoW is not one whose destination is the church. Whilst it does lie within the Thoroton parish, it is simply a footpath, within a wider footpath network in proximity to the church.

5.34. Views when travelling south along Cliffhall Lane will experience a slight change with the additional planting along the eastern site boundary and glimpses of panels within the site in winter months. The views of the spire from this location do not oversail the site – they look over the open land to the east of Cliffhall Lane. The view of the church and spire which is available to a viewer today will not change from this route when the scheme is operational. The change will be in the periphery of the view which would be heavily filtered by vegetation and there would be no change in the direct views towards the spire. As such, there would be no diminishing of the ability to understand the approach into Thoroton which is signalled by the spire in the distance.

5.35. In views out, eastwards from the southern part of Hawksworth, it is possible that the proposed enhancement of boundary planting may restrict or block views of the spire. However, these are incidental and poor-quality views from another parish which was historically served by its own parish church, therefore these are not significant associative views. The proposed landscaping along the southwestern edge of the site is to enhance and maintain existing hedgerows at a height of 3–4m. This is not dissimilar to the current situation with the hedgerows within the area and it is likely that in reality, the mitigation planting would be indistinguishable from the existing planting given the distance of over 690m from the location of these views to the edge of the site.

- 5.36. In summary, the most important views of the church and its spire will be unaffected by the proposed development and the limited height of the solar arrays means the development will not impede or compete with views of the spire from most parts of the wider landscape. The fabric of the tower visible in the view today will be the same amount of fabric of tower visible once the Appeal scheme is constructed from all points where the tower is visible.
- 5.37. In conclusion, in considering all of the elements set out above, it is my opinion that the Appeal scheme would result in minor harm to significance through changes to setting, through the temporary view of solar array within the view when traversing the PROW across the northeastern portion of the site. This equates to less than substantial harm at the lower end of the scale. This introduces a modern energy development in the distant foreground of incidental views towards the spire. Whilst this does cause a temporary change in one peripheral view of the church spire, it is noted that this is very much in the context of the line of existing overhead power lines and tall pylons which are already seen in conjunction with the church spire.
- 5.38. Of relevance to the consideration of views of church towers, and despite being a residential rather than solar scheme, the 2022 Marnhull appeal decision⁴ at paragraphs 20 & 21 set out pertinent points.

“20. St Gregory’s Church, a Grade 1 listed building, is a focal point for many miles around and it is where roads leading from Gillingham, Dorchester and Sturminster Newton all converge. Views of the tower from most points of the compass would be unaffected. Only in views from the north and north east within about 2–3 kilometres would the proposed development be apparent in views together with the church tower. Even in these views, the tower would be the dominant feature. The main impact would occur for walkers approaching the village along the historic footpath across the site, in which the tower would appear to rise above the roofs of Ashley Road bungalows. Insofar as the existing rural surroundings impart a sense of pilgrimage and approaching a settlement, then the new development would change this by introducing dwellings. But it is a far greater step to assume that the experience of the asset would be seriously harmed or that the heritage significance of the church would be so changed that it could not be properly experienced or that its function as a waymarker or its architectural and cultural significance would be seriously diminished. I consider that there would be a very small degree of ‘less than substantial’ harm to heritage significance. Having said that, the overall height of any new dwellings would need to be controlled to ensure that the approach to the church across the field from the north east would not affect perception of the tower as an important focal point.

21. The development would have no impact on the immediate setting of the church. The tower is a landmark on high ground visible for many miles, similar to other prominent church towers in the district. In longer views, the development would be visible in conjunction with the tower,

⁴ Appeal Ref: APP/D1265/W/21/3289314 – Land north of Crown Road, Marnhull, Dorset. 1/07/2022 (CD 5.29)

but would be seen along with and in scale with existing mixed development which surrounds the church. Its value as a historical landmark would remain unaffected and the contribution that these longer views make to its heritage significance would be unchanged.”

Commentary on Conservation Consultation Response

- 5.39. The Conservation consultee commented on the impact of the proposed development on views of the spire from the southern part of Hawksworth as follows:

“I have previously mentioned views of the spire of the Church of St Helena as visible from Hawksworth, reinforcing the close relationship between the two villages. Only the spire is visible as from the southeast portion of Hawksworth there is a gradual rise in the landscape, up to the hedgeline which forms the nearest boundary of the proposed development, the hedge itself broadly follows this low ridge from the east-west unnamed road between the southern limit of Hawksworth and the northern edge of Thoroton up to a roughly square patch of woodland to the north. The land beyond the hedge is itself around 18”-2ft lower and slopes gradually downhill towards the southeast, such that panels installed beyond it would have limited visibility from Hawksworth, albeit if the hedge were allowed to grow so as to hide the panels fully both the panels and the hedge would truncate, if not entirely block, the view of the neighbouring church spire. The development would probably have only a minor impact on views in this direction although the proposed screening would obscure the church as a landmark and reduce the degree to which the close context of the two villages is apparent.”

- 5.40. I will consider the asserted significance of the ‘relationship’ between Thoroton and Hawksworth in my assessments of the Conservation Areas below. With specific regard to the views of the church spire from the southern part of the Hawksworth (i.e. the driveway entrance to Top Farm), I have illustrated and demonstrated above how these are distant, poor-quality views from a different parish which possesses its own church. The very limited experience of the church spire at Thoroton is therefore incidental and carries no associative significance. If such glimpses were to be restricted or completely blocked by enhanced boundary planting associated with the proposed development, this would have no impact on understanding the relationship between St Helena’s Church and its own settlement and parish.

- 5.41. The Conservation consultee concluded as follows with regard to the impact of the development on the significance of St Helena’s Church:

“In Thoroton I would suggest that given the widespread visibility of the church spire as a landmark within the landscape, and its presence in views from Hawksworth informing of the close relationship between the two villages I would be of the view that there would be harm and would argue that this would sit at least at the higher end of the range suggested by the applicants – a moderate level of less than substantial harm.”

- 5.42. I do not consider this assessment to be in line with Historic England’s Setting Guidance GPA3 guidance (CD 3.36) which recognises that church spires are often widely visible and



concludes that development proposals are unlikely to affect heritage values/significance unless impacting on designed or associative views.⁵ The views described by the consultee do not possess any heritage value in these regards.

- 5.43. When considering the heritage significance of the church is principally embodied in its physical fabric and other more immediate elements of its setting (i.e. the churchyard and the settlement core), the impact of the proposed development on only select, predominantly poor-quality and incidental long-range views cannot justify an identification of moderate, less than substantial harm to the significance of the church. I therefore consider that the Conservation consultee has miscalibrated the level of harm in their assessment of the impact of the development proposals.

⁵ Historic England, *GPA:3*, p. 7.

6. Thoroton Conservation Area

- 6.1. The second reason for refusal cites harm to the significance of the Thoroton Conservation Area. The Conservation consultee articulated the level of harm as moderate, less than substantial.
- 6.2. The Thoroton Conservation Area was first designated in 1974 and the most recent version of the Thoroton Conservation Area Appraisal and Management Plan (TCAAMP CD8.2) was published in December 2022 and adopted by the Council on 28th July 2023. This document outlines the historic development, character and appearance and setting of the Conservation Area in detail, therefore only the salient points are set out below.

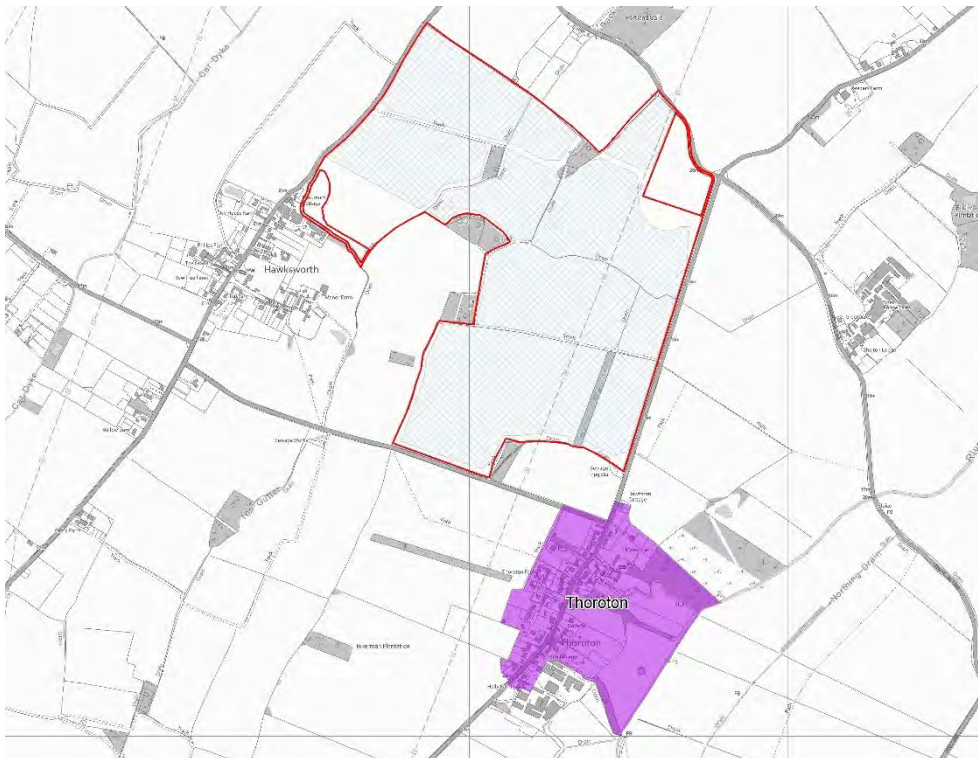


Plate 13: Location of Thoroton Conservation Area and Appeal scheme.

Historic Development

- 6.3. The proximity of the Fosse Way and Roman coin finds suggest the local area may have been used for crop production from the Romano-British period, perhaps to support garrisons at the nearby Roman settlement of Margidunum (present-day Bingham).
- 6.4. The present settlement of Thoroton owes its origins to the medieval period. It is recorded in Domesday Book and the earliest fabric of the church, which is thought to date from the 11th century, attests to this early settlement. The subsequent growth of the village has been slow. Mapping from the 19th century illustrates a small village that has since expanded as a result of new residential development along the main road and the modern expansion of some of the farms, such as Smite Farm and Holly Farm in the southern part of the village (cf. Plate 14 & Plate 15). Indeed, the TCAAMP notes at page 13 that the housing stock in the



village had grown by 40% since 2017 indicating that the balance of historic fabric and modern built form is tipping in the direction of modern built form, with infill development and small-scale developments appearing throughout the settlement but particularly at the western extents of the village.

- 6.5. The economy of Thoroton has historically relied on agriculture through to the present day as evidenced by the farmhouses and agricultural buildings within the village and the surrounding arable fields. It is noted that there is a large area of large-scale industrial units and sheds and commercial premises immediately adjacent to the southeastern boundary of the Conservation Area which have no link to agricultural practice.

Character and Appearance

- 6.6. The linear layout of the village illustrates its medieval origins and slow subsequent growth, much increased in the past few years. The focal point of the medieval settlement would have been the parish church which stands in the northern part of the present village.
- 6.7. The Conservation Area contains several historic buildings and structures, of which there are five statutorily listed assets. There are several building types, although most reflect the village's development as an agricultural settlement, hence the relatively large number of agricultural structures alongside domestic buildings. In terms of scale, most buildings are one or two storey. Traditional building materials comprised stone for the highest status buildings (i.e. the church and late medieval dovecote) and mud for those of lower status (three mud structures survive within the village). Brick (sometimes painted or rendered) and clay pantiles came to predominate during the post-medieval and modern periods.
- 6.8. Boundary treatments tend to be marked by brick or stone walls, agricultural-style timber fencing, or hedges. There are notable examples of iron railings to the front of Thoroton Hall. Green verges, hedgerows and mature trees contribute to the rural character of the Conservation Area. The churchyard of St Helena's and the parkland of Thoroton Hall constitute important, historic, designed green spaces.

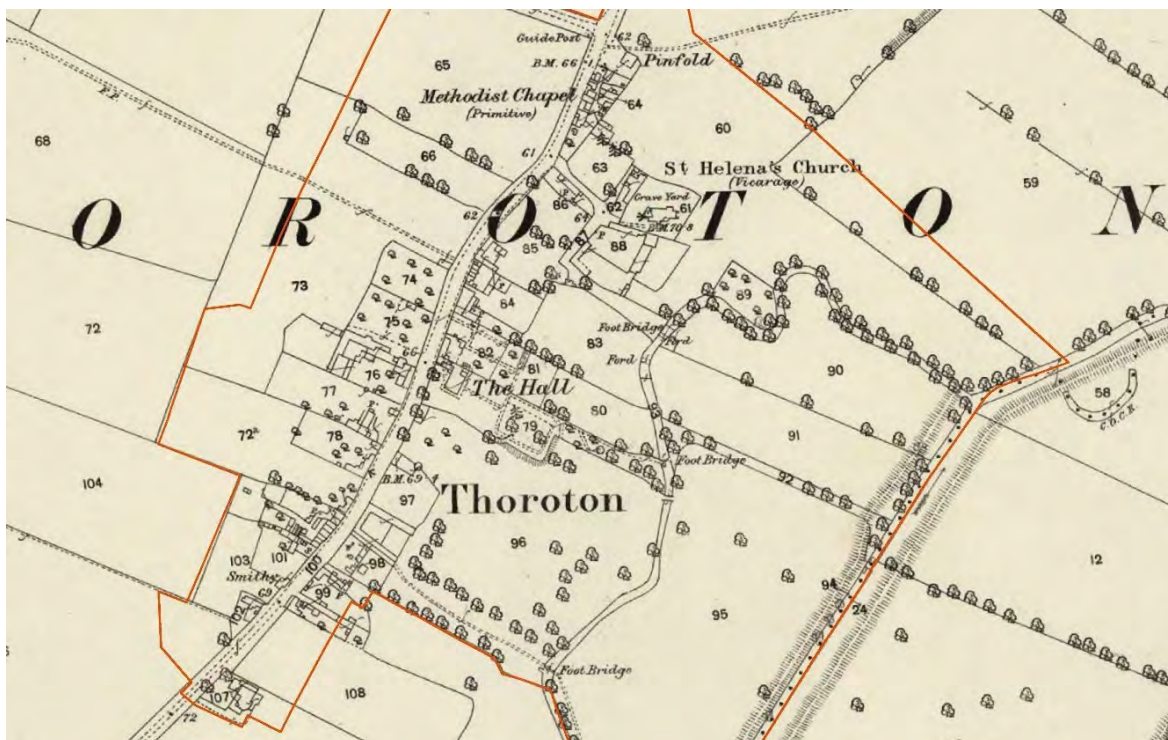


Plate 14: First Edition (1883–84) Ordnance Survey map overlaid with the Thoroton Conservation Area boundary (orange line).



Plate 15: Present Ordnance Survey map overlaid with the Thoroton Conservation Area boundary (orange line). Comparison with the map above shows the significant increase in

development within the boundary of the Conservation Area, in particular the significant increase in development along the western side of Cliffhall Lane.

Setting, Approaches and Views

- 6.9. Thoroton is one of a group of small villages in the southern part of Nottinghamshire. It is surrounded by open countryside, predominantly characterised by large, flat arable fields, which is accessible by a network of public footpaths.
- 6.10. The Conservation Area boundary includes some of the immediate fields/paddocks and an area of woodland at the north-east edge. These elements of the landscape are most readily experienced in conjunction with the historic core of the settlement which appears to explain their inclusion within the designation area. The River Smite (part of which passes through the eastern side of the designation area) is another important element of the village's surrounds which explains the historic siting of the settlement.
- 6.11. Immediately beyond the Conservation Area boundary to the south are a collection of large, modern barns associated with Smite and Holly Farms; these have been partly repurposed as commercial units. Otherwise, there is no built form in the immediate vicinity of the Conservation Area and it is therefore understood within an isolated, rural context, though the development on the edge of the settlement is modern in character and visually prominent.
- 6.12. The main approaches to the Conservation Area are via the main roads/lanes from the north, south and west. Historic maps illustrate that this was also the case historically. Public footpaths provide alternative approaches across the fields from the west and from the south-east.
- 6.13. Significant views within and out from the Conservation Area are illustrated on the Townscape Appraisal which accompanies the TCAAMP (Plate 16). Ultimately, the most important views are the dynamic views and street scenes along the main road through the village which contain the highest concentration of historic built form, are variably softened and filtered by mature vegetation (which contributes to the rural character of the area), and gradually change and unfold as the road curves.
- 6.14. In line with Historic England's guidance, views towards the Conservation Area from the surrounding landscape are only of particular note where these enable the historic built form of the settlement to be appreciated within the context of its agricultural landscape from important historic routes.⁶

⁶ Historic England, *Conservation Area Appraisal, Designation and Management: Historic England Advice Note 1* (2nd edition, February 2019), esp. paragraphs 58 and 59 (CD 3.39).

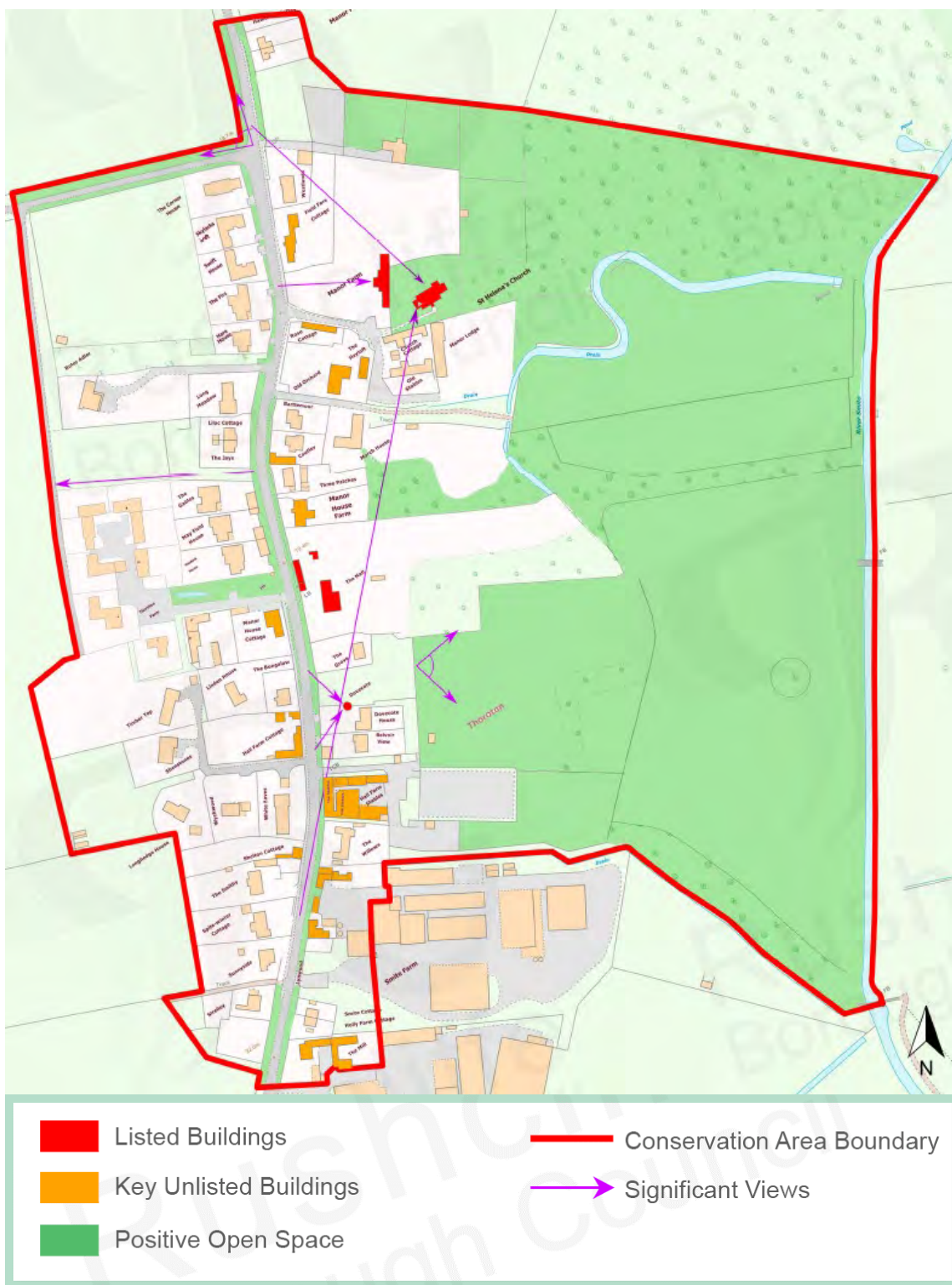


Plate 16: Extract of Thoroton Townscape Appraisal.



Statement of Significance

- 6.15. The TCAAMP summarises the special interest of the Conservation Area as follows:

“The village lies in the South Nottinghamshire Farmlands Character Area and within the Vale of Belvoir.

C18th and C19th Red brick buildings throughout the village.

The C14th Pigeoncote restored C19th Mud walls near St Helenas Church, Smite Farm, and the Pigeoncote

The grass verges, mature trees and fields all contribute to the rural character.

Good network of footpaths, bridle tracks and country lanes offering beautiful views of the village and countryside.”⁷

- 6.16. It is clear that the significance of the Conservation Area is principally derived from the intrinsic elements of its character and appearance (as set out above) which contribute to the special architectural and historic interest of the area and are the reasons for which it was designated. Important elements of the asset’s character and appearance include the layout of the village, the traditional built form, boundary treatments, mature vegetation, and green spaces.
- 6.17. The setting of the Conservation Area makes a lesser contribution to its significance. This is reflected in the fact that there is no statutory protection for the settings of Conservation Areas. The principal elements of the physical surrounds and experience of the asset (its “setting”) which are considered to contribute to its heritage significance are the River Smite and immediate elements of agricultural landscape which can be most readily experienced in conjunction with the historic built core and therefore give legibility to its origins and development as an agricultural settlement.

Any Contribution of the site to Significance through Setting

- 6.18. The eastern half of the site is agricultural land located within the parish of Thoroton, therefore there is a historic association with the village which emerged as a farming settlement.
- 6.19. The Thoroton Townscape Appraisal illustrates two significant views in the general direction of the site when looking out from the northernmost part of the Conservation Area (Plate 17). Both views are focused along the roads that depart the village to the north and west.
- 6.20. In the north-facing view, the viewshed is framed by mature hedgerows on both sides of the road and contains the cottages on the east side of the road (Plate 18). The agricultural land within the site is not perceptible due to the intervening hedgerows.

⁷ TCCAMP, p. 3.

- 6.21. There is a similar experience in the west-north-west-facing view from the same vantage point, although there is a break in the hedgerows on the north side of the road where there is a gated access to the field beyond (Plate 19). Nonetheless, there is still no perception of the site in this view.



Plate 17: Extract of Thoroton Townscape Appraisal showing the location of the two significant views in the general direction of the site.



Plate 18: Significant view looking north from the northern edge of the Thoroton Conservation Area.

The site is not perceptible due to intervening hedgerows and the set back of the site from the southern redline meaning there are intervening fields between this location and the panels



Plate 19: Significant view looking west-north-west from the northern edge of the Thoroton Conservation Area.

The site is out of frame on the right-hand side of the photograph and not perceptible due to intervening hedgerows.

- 6.22. By moving further west along road to the aforementioned break in the hedgerows, there is an open view to the north in the direction of the site (Plate 20). Whilst there is some perception of the southernmost parts of the site beyond the intervening hedgerows and trees, this is not identified as a key view in the Thoroton Townscape Appraisal and there is no experience or co-visibility of the historic settlement core of Thoroton, which lies behind the viewer beyond modern development and vegetation.



Plate 20: North-facing view from the northern edge of the Thoroton Conservation Area, through a break in the hedgerows/gateway near the significant viewshed illustrated on Plate 18 & Plate 19 above.

The southern parcels of the site are distantly perceptible beyond intervening hedgerows and tree belts.

6.23. Other vantage points where the site can be experienced in conjunction with the Thoroton Conservation Area overlap with previous visual assessment of St Helena's Church due to the prominence of the church spire. There are no views of the site in conjunction with the historic core of the settlement of Thoroton as it is well-screened from the surrounding landscape. The vantage points in which the church spire is visible in conjunction with the site include:

- From the road that runs parallel with the eastern site boundary (Plate 6);
- From within private parts of the site, especially the south-east corner (Plate 7);
- From the public right of way that runs through the north-east part of the site (Plate 8);
- From the southernmost part of Hawksworth when looking out from the driveway entrance to Top Farm (Plate 9) (proposed landscape mitigation only);
- From the southern extent of Hawksworth looking east, outside the Conservation Area boundary (Plate 51);

- From the road that runs west-north-west of Thoroton, parallel with the southern site boundary (Plate 8);
 - From the public right of way that extends west of Thoroton (Plate 10).
- 6.24. For reasons related to those given above in my assessment of the church, these are generally incidental views and there are other, more important views where the church can be better experienced in conjunction with its more immediate agricultural hinterland.
- 6.25. With specific regard to views from the public right of way in the north-east corner of the site (Plate 8), it is recognised that this is a historic route – though the route as mapped today does not appear until the 1921 mapping. The historic mapping shows this footpath entering from Longhedge Lane to the north with the path leading to and from Shelton to the north and along Longhedge Lane to the east. This route forms part of a tortuous route across the fields far to the north of Thoroton and it does not provide a direct or designed approach to the settlement (hence the church spire not being the focal point of views due to the alignment of the footpath); the footpath goes nowhere near Thoroton. The route of the footpath suggests this emerged in relation to Hawksworth instead, and specifically to provide farmworkers and labourers with access to the fields to the north-east of that settlement.
- 6.26. In terms of the site affording views which enable the historic settlements of Thoroton and Hawksworth to be experienced in conjunction with one another, this principally derives from the viewshed at the driveway entrance to Top Farm, Hawksworth, in which the view oversails the site and the spire of Thoroton church is only distantly perceptible (Plate 9).
- 6.27. There are also select locations along the PRow which runs across the northern portion of the site where the spire of St. Helena can be viewed and the northern-most buildings within Hawksworth are visible – however I would point out that the buildings of Hawksworth that are most visible are the 19th-century industrial buildings of W. B Stubbs Ltd and not farmsteads or agricultural buildings. Even then, the built form is not distinct.
- 6.28. The ability to vaguely experience Hawksworth in conjunction with Thoroton in this manner does not contribute to the significance of the Thoroton Conservation Area through setting. This is because each developed as an individual medieval settlement situated within separate manors under different lordship. The relationship of each settlement was to its immediate surrounding agricultural land (i.e. that within the same parish and under the same landownership) and not to one another. The geographical proximity of the settlements is therefore incidental to their historic development and their significance as distinct rural, agricultural settlements.
- 6.29. When considering the significance of the Thoroton Conservation Area as a whole, the site makes only a very small contribution to significance through setting because of its historic association with Thoroton settlement (being agricultural land partly located within the same parish) and the ability to experience this land in conjunction with the historic settlement core in the views described and illustrated above, although it should be reiterated that most of these views are incidental and poor quality.



Impact Assessment

- 6.30. There is no statutory protection for the settings of Conservation Areas, rather the 1990 Act confirms that the focus of attention is the intrinsic special architectural and historic interest, or character and appearance.
- 6.31. The proposed development, being located outside the Conservation Area boundary, will have no impact on its intrinsic character or appearance from which the asset derives most of its significance. There will be no change to key sequential views or street scenes within the Conservation Area.
- 6.32. The nearest solar arrays will be positioned over 160m north of the Conservation Area beyond an intervening field parcel and mature hedgerows. Consequently, the immediate agricultural setting of the Conservation Area will be unaffected.
- 6.33. The experience of the new solar arrays when approaching and leaving the Conservation Area from the roads to the north and west will be restricted by the retention of the mature hedgerows as well as enhanced boundary planting. The existing hedgerows already prevent visibility of the agricultural land within the site in identified significant views out from the northernmost part of the Conservation Area (Plate 18 & Plate 19 above), as well as heavily restricting visibility on the longer approaches via the roads (see Plate 6 & Plate 10 above).
- 6.34. As discussed in the previous assessment of St Helena's Church, the proposed development will appear within views of the church spire from the public right of way in the north-east part of the site (see Plate 8 above) and the proposed mitigation will appear in the views out from the southern part of Hawksworth (see Plate 9 and Plate 45). The former is located within the parish of Thoroton but does not represent a direct approach to the Thoroton Conservation Area whilst the latter are not considered to make any contribution to the significance of the Thoroton Conservation Area through setting for reasons given above.
- 6.35. The issue of change of character arising from solar schemes within agricultural land was discussed at paragraphs 63–67 of the Inspector's decision in relation to Land west of Thaxted, Cutlers Green Lane, Thaxted (December 2023)⁸. Although in the context of the setting of a listed building, this decision discusses and recognises the change of character of an agricultural field which was recognised as contributing to the significance of the listed building through setting. It was acknowledged that this would result in some harm, however the Inspector noted that the arrays will "sit on top of the land", therefore it would still be apparent that they are located on former agricultural fields. As such, the former functional relationship of the listed building and its surrounding farmland would still be discernible. This is clearly directly relevant to this Appeal where there are allegations from RBC and the Rule 6 that the panels will remove the agricultural setting of a number of designated assets. The Inspector stated within this Appeal decision:

"65. There would therefore be a change in character of the surroundings from open agricultural land to land containing solar arrays and the experience of the approach to the asset from a number of directions

⁸ APP/C1570/W/23/3319421 CD 5.28

would alter. This would cause harm to the setting and therefore the significance of the listed building.

66. However, because the solar arrays would sit on top of the land, it would still be apparent that the arrays are located on former agricultural fields. Accordingly, the former functional relationship of the building with the surrounding farmland would still be discernible. Moreover, the sense of seclusion of the building and its isolated setting, away from other properties would be retained."

- 6.36. The Inspector considered the issue of the visibility of panels from a distance across open views of fields and hedgerows and concluded at paragraph 35:

"35. When viewed in the wider context, parts of the site would be visible in some medium distance views. However, because the panels would sit on top of the land, the undulating nature of the surrounding topography would remain. The low-lying nature of the development would also mean that views would continue to be gained across the landscape of hedgerows and associated trees. The development would not therefore detract from the openness of the wider landscape."

- 6.37. Taking these two extracts together, the Inspector considered that the solar panels would sit 'on top' of the land within which they were situated and that because of this, the understanding of the agricultural nature of the fields is retained, as is understanding of topography. Conservation Area
- 6.38. In summary, when considering the significance of the Thoroton Conservation Area as whole, the introduction of the solar farm to a small part of the wider setting of the Conservation Area will only result in very minor, less than substantial harm to the significance of the asset through change to its setting. This would equate to harm at the lowermost end of the less than substantial harm spectrum.

Commentary on Conservation Consultation Response (CD6.13)

- 6.39. The Conservation consultation response emphasised the importance of open space and intervisibility in terms of understanding the agricultural setting of the Thoroton Conservation Area (as well as the Hawksworth Conservation Area, discussed separately below):

"The open spaces between the two Conservation Areas and these listed buildings are of particular importance. The open views and intervisibility are fundamental in understanding the parishes associated with the two churches which they overlook, as is the agricultural setting associated with Hawksworth Manor and Hawksworth Place and similarly the gardens and parkland historically associated with Thoroton Hall. Farming informs the origins of several listed buildings across both villages, as well as being a fundamental component of the history of both villages and contributes both to the evolved character of their Conservation Areas and the context in which they sit today."

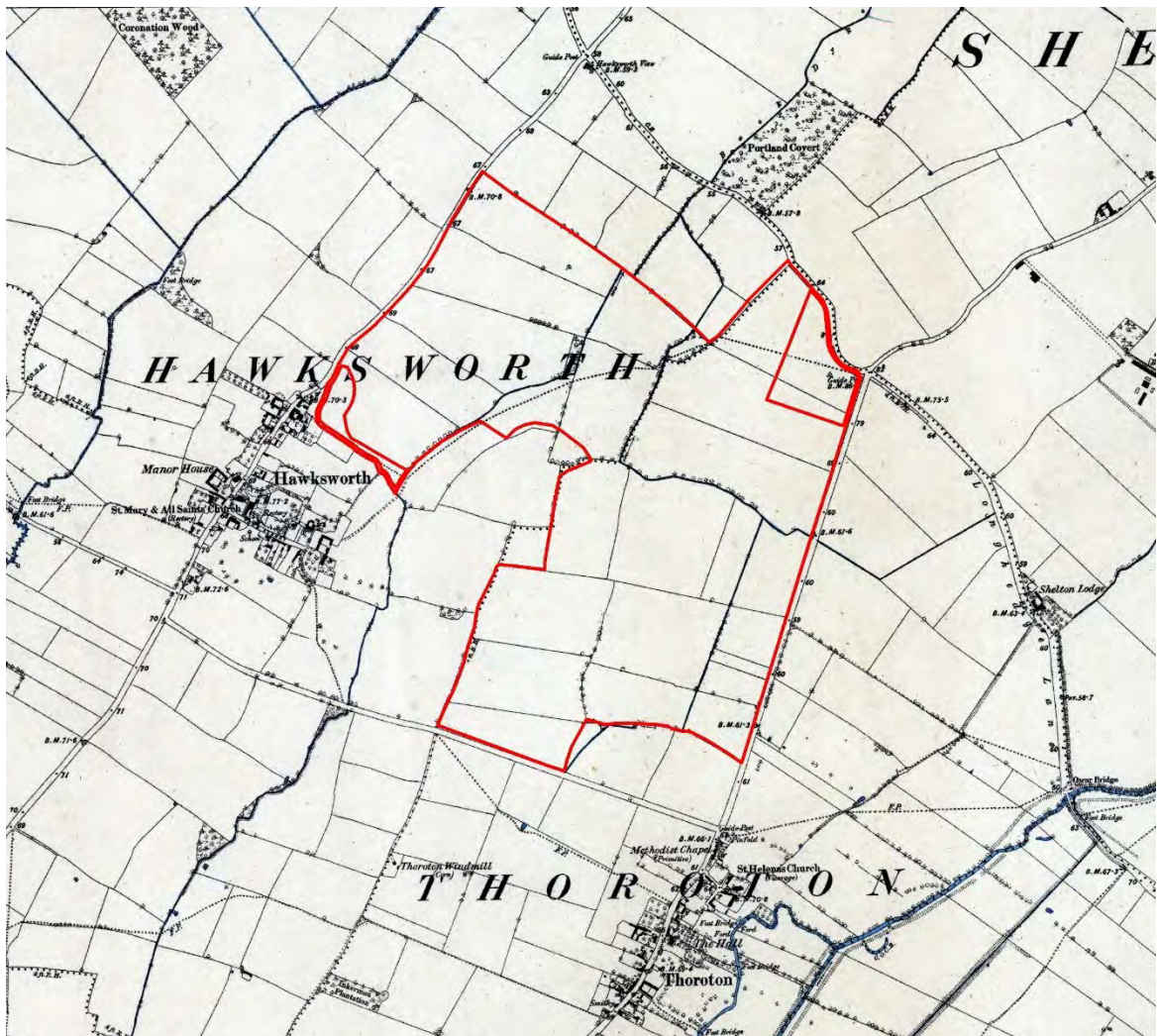


Plate 21: 1883 Ordnance Survey Map.

The footpath northwest from Thoroton and southeast from Hawksworth had been established but note the greater number of field boundaries in the area south of Thoroton Road.

6.40. The present openness of the agricultural land surrounding Thoroton is recognised but this is legible as a modern landscape characteristic resulting from the removal of historic field boundaries and amalgamation of fields since the mid-20th century. The earliest Ordnance Survey mapping published between 1883 and 1921 (Plate 21 & Plate 22) clearly depict a greater number of field boundaries in the south-east corner of the site (and across the site more widely compare with Plate 23) such that views in which the site is experienced with the historic settlement core of Thoroton are likely to have been even more restricted in the late 19th and early 20th century.

6.41. I agree that elements of the agricultural surrounds of the Thoroton Conservation Area contribute to its significance through setting in terms of giving legibility to the origins of the village as a rural farming settlement; however, this must be considered in line with Historic England's criteria for assessing the contribution of setting to the significance of

Conservation Areas.⁹ As noted above, there are few vantage points along the direct approaches to the Thoroton Conservation Area where the open agricultural land within the site is readily visible due to the mature hedgerows that bound the site.

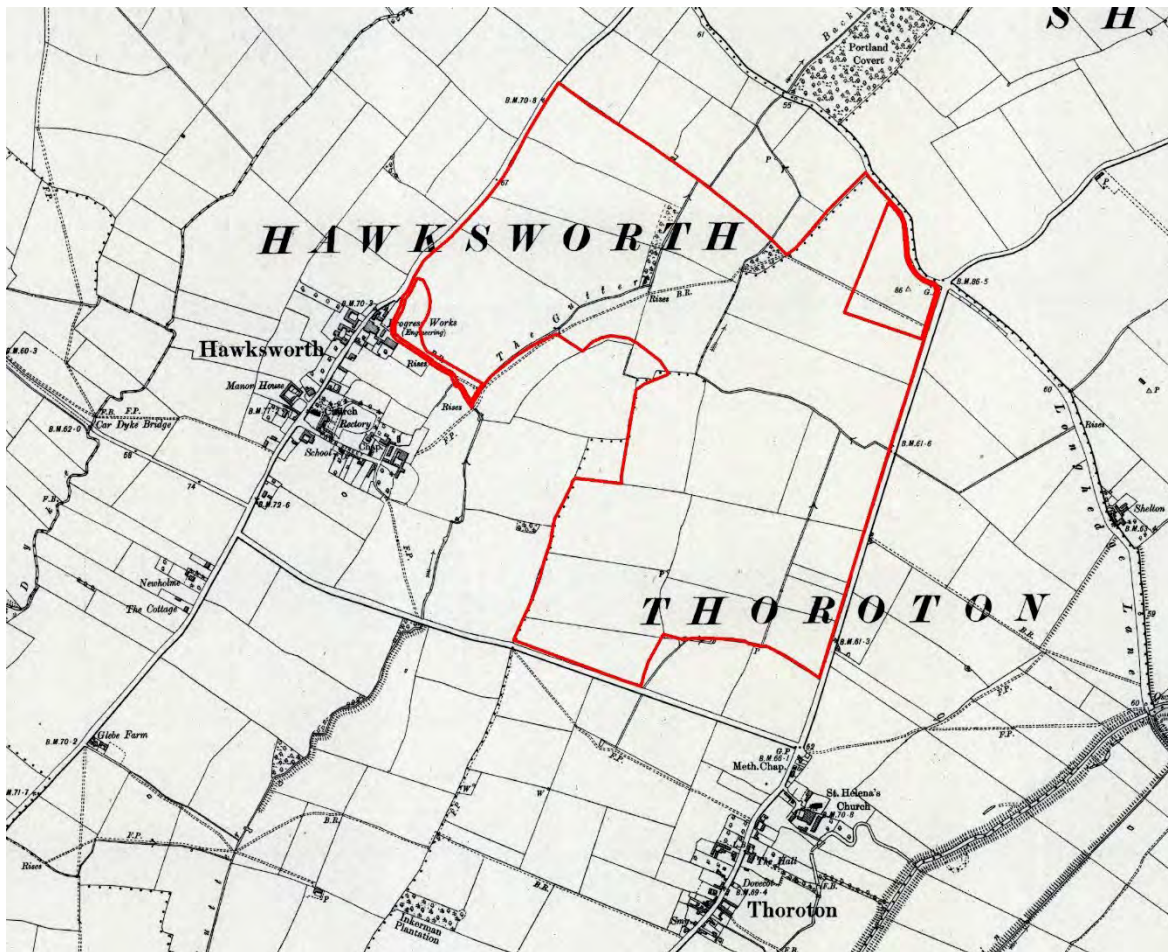


Plate 22: 1921 Ordnance Survey Map.

Note the footpath in the northeastern portion of the site is on the same alignment as today. The path in the northwestern portion of the site that exists today had still not been established. This is a modern footpath and not an historic approach into Hawksworth.

⁹ Historic England, *Conservation Area Appraisal, Designation and Management*, paragraphs 58 and 59.



Plate 23: Modern (2024) aerial image of the Appeal site and surrounds.

This has been inserted here for comparison with the 1883 and 1921 Ordnance Survey maps to show loss of internal boundaries and hedgerows in the 20th century, demonstrating this open landscape is a modern construct. The landscape within the site, whilst retaining some older boundaries, has little historic value (© Google Earth).

6.42. The Conservation consultee had specific regard to the public rights of way across the site:

“Whilst the site itself contains no structures, it is crossed and bordered closely by a number of public footpaths. These all appear on historic mapping, including Henry Steven’s 1820 Map of Newark on Trent, and may be of ancient origin. These footpaths represent routes linking the two neighbouring settlements and their Conservation Areas and represent approaches to, and routes leading out from, both

Conservation Areas. The development would unavoidably have a substantial impact on the experience of approaching either village, or travelling between them, on these well-established routes.

...

The footpath mentioned above is a well established route shown on older OS maps and Henry Steven's 1820 Map of Newark on Trent and represents a long established link between the two villages and what are now their respective Conservation Areas. At the time of my visit the paths were well trodden and appear well used such that this path does represent a route of approach and departure for both villages (I suspect that as both villages have little in the way of local services but are each served by one, different, bus route each a lot of this foot traffic will be by residents catching busses from either village or visiting friends in the neighbouring village). Along the route there would be an awareness of an expanse of solar panels in the landscape to the north, owing to the fall of the land this would be increasingly apparent nearer to Thoroton. As the land within the site slopes up gently to the north the hedge along the unnamed road would need to grow up quite substantially to hide panels up the slopes in the northern parts of the site, itself limiting appreciation of the agricultural landscape."

- 6.43. As already noted in my assessment and as can be seen on Plate 4, the Conservation Officer is incorrect in identifying the footpaths as they exist today as appearing on the Henry Steven's 1820 map. The footpath in the northeastern extent of the site was on a very different alignment, with the portion running west in the Hawksworth parish not in existence at all. In particular, the footpath leading northwest from the western extent of Thoroton and the southeastern extent of Hawksworth leading southeast is not shown in any form at all on the 1820 mapping.
- 6.44. I would also question the purported significance of the footpath links between the two villages in terms of their contribution to the heritage interests of the Thoroton Conservation Area, especially as Thoroton and Hawksworth developed as separate settlements under separate lordship and with their own parish churches. Their proximity to one another is incidental, reflecting historic division of land, and they have developed independently as separate agricultural settlements.
- 6.45. As noted in my assessment above, the northernmost footpath which extends north-east from Hawksworth and then joins the road far to the north of Thoroton is a tortuous route that does not constitute a direct approach to the historic settlement core of Thoroton. Instead, it seems to have principally emerged as a result of farmworkers and labourers moving between Hawksworth and the fields to the north-east.
- 6.46. The footpath that extends west-north-west of Thoroton does provide a direct connection with Hawksworth after joining the road and transitioning into another public right of way that crosses the field south of Hawksworth Manor. However, the quality of views towards Thoroton and the experience of the site in relation to the Thoroton Conservation Area are very limited when moving along this footpath, as described and illustrated above. In addition, when moving towards Thoroton on this footpath, the immediate experience of



Thoroton is of the modern developments of the Thoroton Farm complex. These dwellings are prominent in this view, as are views of the overhead lines, pylons with the spire of St, Helena as a backdrop.

6.47. The consultee's comments about foot traffic between along the public footpaths between the villages are speculative and were not verified by my experiences during the site visit; the public rights of way did not appear to be well frequented and other users cannot be ruled out (e.g. recreational rambles and dog walkers). Even if there are users of the footpath travelling to catch buses between the settlements, this has no relevance to, nor does it contribute to the significance of either of the Conservation Areas.

6.48. The Conservation consultee referred to views out from the northernmost part of the Thoroton Conservation Area, as follows:

“At present there are views from Hawthorne Cottages and the ‘T’ junction to their south towards both the north and the west within which the wider site would be visible and from this area there would be an awareness of the proposed development and its impact on the visible wider landscape from this position would be substantial, or else any adequate proposed screening would itself have a major impact on the visibility of wider landscape setting.”

6.49. Although located within the Conservation Area, Hawthorne Cottages are modern semi-detached dwellings first recorded on mapping from the mid-20th century. They are basic in their form and construction and there is no suggestion from the consultee that they constitute a non-designated heritage asset. The dwellings are orientated such that views out from their front elevation are in a westerly direction and focused on the field south-east of the site rather than on the site itself. Further west, a dense tree belt separates this field from the site and will foreshorten the viewshed from the cottages. Any peripheral glimpses of the proposed development in private views from these modern dwellings will have no adverse impact on the significance of the Conservation Area.

6.50. With regard to views from the T-junction in the northernmost part of the Thoroton Conservation Area, it has been described and illustrated above how the site is not visible in the identified significant views due to intervening mature hedgerows, even in the winter months (see Plate 18 & Plate 19 above). By extension, the proposed development will not be perceptible in these views. Where there are glimpses of the site from other nearby vantage points through breaks in the hedgerows (see Plate 20 above), the site is not readily appreciated in conjunction with the historic core of the settlement. It is not credible to refer to these glimpsed views as having a *substantial* impact upon the *visible wider landscape*.

6.51. I agree with the consultee that the retention and enhancement of boundary hedgerow planting would effectively screen the proposed development from view on the immediate approach to and exit from the Conservation Area. However, I disagree that this would have a harmful impact on the significance of the asset in terms of reducing visibility of the wider landscape setting. As discussed above, there was historically greater subdivision of the fields to the north of Thoroton and, as a result, the present openness is a modern characteristic. Later in their response, the consultee did note the existence of “*earlier, smaller, field patterns within the landscape*”; this observation undermines the suggestion

that the openness of the fields contribute to the significance of the Conservation Area through setting. Furthermore, the intervening field between the proposed development and the Thoroton Conservation Area will remain (along with any glimpses into it from the roads), therefore legibility of the agricultural setting of the village will remain.

- 6.52. The Conservation Officer made a number of comments in his response about the proposed mitigation, in particular the planting of new hedgerows, alleging that *'such mitigation would also hide parts of the landscape the current visibility of which makes the positive contribution to setting.'* These comments are considered to apply to all of the assets discussed in my proof and not confined to the Thoroton Conservation Area. The Conservation Officer also argues that the hedgerow planting might be allowed to grow out to *a greater height*. It is noted that the hedgerows are proposed to be maintained at 3–4m which is not dissimilar to the height of the hedgerows before they are trimmed by the landowner. Therefore, hedgerows of this height are not an unusual feature within this landscape.
- 6.53. There are two points to be made in respect of this criticism by the Conservation Officer. The first point is that at any point, regardless of whether this scheme is consented or not, the landowner is at liberty to plant additional hedgerows across their land and is not obliged to follow any historic field boundaries. This same issue of proposed mitigation allegedly causing harm was considered within an Appeal (Land at Woodhall Farm, Wichenford, Worcestershire 2017 APP/J1860/W/16/3142020) where the Inspector concluded:
- "37. An interested person contended that the introduction of new hedges would alter and cause detriment to the historic landscape. Whilst this may be the case, the landscape is constantly evolving and new hedges could be planted whether or not the development went ahead."***
- 6.54. The second point to be made is that historic mapping from the 1883 and 1921 Ordnance Survey maps show clearly that the site used to be made up of numerous smaller fields with internal field boundaries and hedgerows which have been removed in the 20th century to create larger field to facilitate modern agricultural practices. Historically, numerous hedgerows would have been present within this landscape, creating a patchwork of smaller field parcels, with views broken up; not the open expanses which exist today. These are a modern creation. The proposed scheme proposes to reinstate two historic field boundaries as shown on the 1883 Ordnance Survey map to the northeast of Hawksworth and to the south of the PRoW in the northeastern portion of the site.
- 6.55. A more general point about the discussion of mitigation within the Conservation Officer response, is the misrepresentation of the advice given in the Historic England GPA3 Setting guidance (CD 3.36) at Step 4 which explores the maximisation of enhancements and avoiding harm. The Conservation Officer response suggests that Step 4 of GPA3 (found at paragraph 37) states *'mitigation is a lesser solution as it concedes that harm must be caused...'*. He also suggests that Step 4 of GPA 3 states *'mitigation is not an ideal solution'*. These quotations represent the Conservation Officer's own interpretation of the guidance – the phrases used and quoted above are not found within the guidance. Step 4 of GPA3 does not suggest that mitigation is a lesser solution, instead it rightly acknowledges (at paragraph 40) that there are certain attributes of development affecting setting which may cause harm to significance which cannot be adjusted and as such, screening may have a part to play in

reducing harm. GPA 3 acknowledges that screening is not a substitute for good design and that it can have an intrusive effect in and of itself, however nowhere does it suggest that mitigation is lesser or not an ideal solution because it acknowledges harm must be caused. This is an inaccurate interpretation of this guidance.

- 6.56. The Conservation consultee also discussed long-range views on the approach to the Thoroton Conservation Area from the road to the north:

“I took the opportunity to walk northwards almost to the crossroads with Longhedge Lane where I walked west across fields on the public right of way. There are a number of positions along the road where views back towards the village features the church spire, although I would acknowledge that later into spring when the trees are in leaf a number of these views of the spire would be lost. As the road rises up the slope towards Longhedge Lane it also becomes possible to see the fields in the foreground when looking back towards the village. Whilst allowing the roadside hedges to grow and planting up gaps could hide much of the proposed development it would also limit the visibility of the landscape within which the settlement and its Conservation Area are seen and would alter the character of this approach.”

- 6.57. I would emphasise that even in the winter months, there is very limited visibility of the agricultural land within the site in these sequential views due to the boundary hedgerows and the pulling back of the scheme from the eastern edge (see Plate 6 above) and this screening effect will be more pronounced in the summer months. I agree with the consultee that the long-distance perception of the village via glimpses of the church spire will be much reduced in the summer months when intervening trees are in full leaf. The provision of enhanced planting along the boundary between the road and the site to effectively screen the proposed development will not have an adverse impact on the experience of the rural setting of the Thoroton Conservation Area given changes to the landscape character historically, the very limited perception of this land currently, and the more open views across the fields on the opposing (east) side of the road which afford the glimpses of the church spire.

- 6.58. The Conservation consultee’s conclusions regarding the impact of the proposed solar farm on the setting of the Thoroton Conservation Area were as follows:

“For Thoroton there would be some impact upon the setting of the Conservation Area, mostly focused at its northern edge where there would be a combination of reduced prominence of the agricultural landscape, and those parts still visible beyond reinforced boundaries would be visually dominated by solar panels up the gently sloping fields towards the north. There would be some combination of awareness of a large-scale solar farm to the west in approaches from the north of the village, as well as reinforced boundary planting giving the road approach more of an enclosed character limiting view of the landscape beyond.

- 6.59. In response to the points about “reduced prominence of the agricultural landscape” and reinforced boundary planting resulting in “an enclosed character”, I would reiterate my previous point about the changing landscape character and greater historic enclosure of the agricultural land surrounding Thoroton, including that within the site.

- 6.60. The solar arrays would change the character and appearance of the land within the site; however, there is already a limited perception of this land when approaching and leaving the Conservation Area due to the mature intervening and boundary hedgerows that already exist. From most identified vantage points that relate to the Conservation Area, the development would be screened from view or it would be barely perceptible, such that it will not visually dominate.
- 6.61. From select areas where it will be possible to readily perceive the development (i.e. from the public right of way in the north-east corner of the site where it is currently possible to distantly glimpse the church spire), it will still be apparent that the solar arrays sit on former agricultural land, in line with the Thaxted appeal decision (see above). By extension, the historic function of this land and its role in the development of the village as a farming settlement would still be discernible.
- 6.62. This last point is applicable to the Conservation consultee's more sustained conclusions regarding the change to character and appearance resulting from the development:

***“The scale of the development proposed would see the arable field network altered in terms of its character and appearance. Although electricity pylons are visible in 3 fields and electrical lines pass through 4 fields, the total impact of the proposal would be far more visible and intrusive than that existing impacts in the form of power lines, which are themselves relatively ephemeral given the grid construction of the pylons. Existing internal field boundaries are comprised of hedgerows, tree lines and several linear strips of woodland shelter belt and alterations to remove some internal boundaries would be required to implement the proposal. Some existing field boundaries appear to represent retained boundaries of earlier, smaller, field patterns within the landscape, making some small additional contribution to the character of the rural area and evidencing field boundary division related to farming in Hawksworth and Thoroton. External boundaries to the site largely consist of mature hedgerows with individual trees and some evident gaps.*”**

The proposal site forms part of a wider landscape, which very much contributes to the rural and open countryside setting of the two Conservation Areas and the listed buildings identified as most notable. The addition of a solar farm in this location would fail to preserve part of the rural and open countryside setting and would introduce a fundamentally different appearance into the adjacent fields. As the settlements have an agricultural basis evidenced through farming activity which continues to be a significant component of village life today, particularly in Thoroton where active farms remain prominent parts of village life, landscape scale changes to the character and appearance of the surrounding agricultural landscape will necessarily diminish the extent to which a rural agricultural landscape setting continues to inform the character and origins of both settlements. Access roads, trackways, CCTV and fencing would be necessary, and this would introduce features not traditionally associated with agriculture to the arable fields. These along with the solar PV arrays



would result in a negative impact to the character of the countryside and the setting of designated heritage assets, which has associations with the history of the settlements and contributes towards understanding of their development and significance.”

- 6.63. This point is also equally relevant for the discussion of the Hawksworth Conservation Area and should be read as part of that assessment as well.
- 6.64. When considering the heritage significance of the Thoroton Conservation Area as a whole and the fact that the site makes only a very small contribution to this significance through setting, I do not consider the Conservation consultee’s assertion that the development would cause a moderate level of less than substantial harm to be credible.



Plate 25: Hawksworth Manor, western elevation, as seen from the easternmost end of Town Street.

- 7.3. When publicly viewed from the easternmost end of Town Street, only the west elevation of the manor house is visible. This presents as a two-storey building of brick and rubble stone construction with a gabled double-storey porch at the centre and a plain clay tile roof punctuated by brick chimney stacks (Plate 25).
- 7.4. The First Edition (1883–84) Ordnance Survey map (Plate 26) illustrates the asset as possessing a truncated L-shaped footprint on the easternmost edge of Hawksworth village. Its gardens were principally laid out on the east side of the building and there appears to have been an orchard to the south-west. Probable ancillary and farm buildings are depicted to the north in a courtyard arrangement. The wider landholdings of the house are not recorded by the map, although it is reasonable to suppose these historically extended around the manor house and farm buildings (i.e. on the eastern side of Hawksworth).
- 7.5. Although known as Hawksworth Manor today, the same 1883–84 map does not annotate it as such; instead, this map annotates the 'Manor House' as being located on the north-west side of the village, opposite the parish church, and corresponding with present-day Philips Farm.
- 7.6. Hawksworth Manor was subsequently extended on its northern and eastern sides, which resulted in it being connected to the farm buildings to the north. The immediate surrounds of the asset have been domesticated and modernised, principally through the cessation of the agricultural use of the historic farm buildings, the construction of a tennis court to the

east, the digging of a large pond to the south-east, and the enlargement and consolidation of the driveway to the west. The grounds of the asset are currently used as a wedding venue.

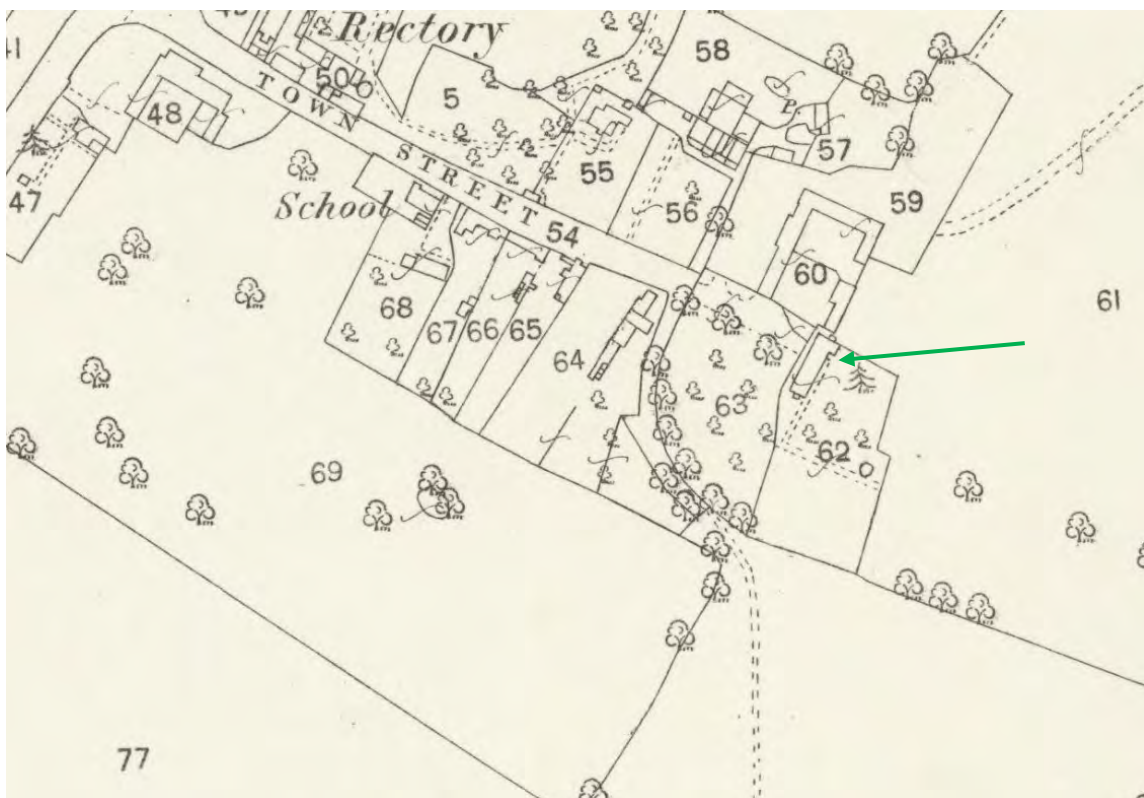


Plate 26: Extract of First Edition (1883–84) Ordnance Survey map showing Hawksworth Manor House (marked with green arrow) and its immediate surrounds.

Setting, Approaches and Views

- 7.7. As noted above, the asset is set within its domestic grounds which include the driveway, gardens/lawns, the tennis court, and the large pond. The western curtilage boundary is defined by a brick wall with gated access off Town Street. The historic ancillary/farm buildings still stand to the north and have been augmented with modern agricultural structures further to the north/north-east. The remainder of Hawksworth village is laid out further to the west. The wider setting of the asset comprises the agricultural landscape surrounding Hawksworth.
- 7.8. The principal approach to Hawksworth Manor is via Town Street from the west which leads to, and terminates with, the driveway and turning area at the front of the house. An alternative approach to the asset is provided by the public footpath that runs across the field to the south.
- 7.9. Primary views from the manor house relate to its front (western) and rear (eastern) elevations. These views are directed across the driveway towards Town Street and across the rear lawns/gardens in the direction of the modern pond.

7.10. The private curtilage of the house provides the best views of the house. The best public view is from the easternmost end of Town Street where there is a glimpse of the front (western) elevation of the house through the gates (see Plate 25 above). There are also public glimpses of the upper levels, roof and chimney stacks of the manor house from the public right of way across the field to the south (Plate 27). These views are already heavily filtered in the winter months and the building is anticipated to be largely screened by the intervening trees in the summer months. The winter glimpses give a vague sense of the form of the manor house and its rural, edge of settlement location, but they do not enable the special architectural and historic interest of the asset to be readily appreciated due to the distance.



Plate 27: Glimpsed, north-facing view of Hawksworth Manor from the public right of way within the field to the south.

7.11. The ground slopes upwards to the east of the asset up to a ridge which forms the southwestern boundary of the Appeal Scheme. There are likely to be good views of the Manor from this sloping position however any such views would be from private land, within agricultural fields. Beyond the ridge (within the site), there would no longer be any views of the Manor as the ground slopes away from this high point. The Hawksworth Conservation Area Appraisal and Management Plan (HCAAMP CD 8.1) and townscape analysis map identifies a 'significant view' looking toward Hawksworth Manor from some unknown origin point to the east. The point of origin of this view is not mapped and the reason why this view is significant is not clear within the document. In addition, this view is from private land and from where the origin is marked, this is in land which would not have visibility of

the Manor due to the land sloping away. The origin of the view appears to be located within the Thoroton parish and it is unclear why this has been included.

- 7.12. There are glimpsed views of the boundary walls and some awareness of the built form of the Manor from the PRow running west within the western portion of the site and from the southern boundary, north of Hawksworth (this area does not contain panels). The quality of these views is low. They are glimpsed and do not provide any clear understanding of the form, fabric or historic interest of Hawksworth Manor. They are heavily screened by existing vegetation and in the context of modern farm buildings and large agricultural sheds – such as the one located to the north of the Manor (Plate 28). These views are incidental and not easily available. In the summer months, these views would be blocked by existing vegetation.



Plate 28: View south from southern site boundary north of Hawksworth (no panels would be located in this area).

Note the large agricultural shed. The eastern extent of Hawksworth manor is marked with an arrow; the general location can be discerned from the specimen trees in the distance.



Statement of Significance

- 7.13. The Grade II Listing of Hawksworth Manor highlights it is a designated heritage asset of less than the highest significance as defined by the *NPPF*,¹⁰ although this significance is consolidated by its inclusion within the boundaries of the Hawksworth Conservation Area.
- 7.14. The heritage significance of the asset is principally embodied in its physical fabric. It derives historic interest from its general age, form and character, being legible as a manor house of probable mid-17th-century origins with (near-)contemporary adjoining pigeoncote that has been successively altered and extended to meet the changing needs and tastes of its occupants. Its architectural and artistic interest will be primarily embodied in the earliest fabric and decorative fixtures and fittings, but also the later (albeit still historic) additions.
- 7.15. The adjoining buildings to the north and those detached buildings and structures within its curtilage that pre-date July 1948 and were associated at the time of listing will fall under the same statutory protection and will likely make their own contribution to the historic and architectural interest of the asset. The historic farm buildings, in particular, will possess group value with the manor house in terms of their spatial relationship and the illustration of the former farmstead context.
- 7.16. The setting of Hawksworth Manor also contributes to its significance, although the significance derived from its setting is less than that derived from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its "setting") which are considered to contribute to its heritage significance (in order of importance) are:
- Its gardens, which illustrate the long-established domestic function of the property (historic interest) and provide the best views in which the architectural interest of the asset's external fabric can be appreciated;
 - The driveway, which provides the primary approach to the asset (currently and historically) and affords other important views of the external fabric, namely the western front of the house (historic and architectural interest);
 - The historic settlement of Hawksworth to the west which the asset forms part of and to which it was closely connected historically, being the manorial residence; and
 - The agricultural surrounds where these can be readily experienced in conjunction with the asset (e.g. in views out from the western elevation of the house), are likely to have been historically associated in terms of landownership, and illustrate the rural setting of the asset.

¹⁰ DLUHC, *NPPF*, para. 206.

Any Contribution of the Site to Significance through Setting

- 7.17. The north-west part of the site lies within Hawksworth parish. A historic association between the asset and this part of the site in terms of landownership is uncertain. If any association did exist, this has since been severed. It should also be recognised that the house was built as a domestic building with no direct functional association with the agricultural land surrounding it. Furthermore, the north-west part of the site is distant from the asset and separated by intervening agricultural buildings (historic and modern) and tree belts.
- 7.18. The remainder of the site, including that which lies c. 400m east-southeast of the manor house at its nearest point, is located in the different parish of Thoroton. A historic association in terms of landownership is therefore unlikely, and not verified by any known sources.



Plate 29: First Edition (1883) Ordnance Survey map (6 inch) showing Hawksworth Manor (green arrow) and the Hawksworth Conservation Area (outlined in orange) in relation to the site (outlined in red).

The boundary between Hawksworth and Thoroton parishes is indicated with a dotted line.



Plate 30: East-facing view towards the site from the public right of way within the field to the south of Hawksworth Manor.

This view is from the same vantage point as Plate 27 above; Hawksworth Manor is located out of frame to the left.

- 7.19. In terms of views, the asset is orientated such that the western edge of the south-eastern part of the site is likely to be glimpsed in views out from the upper storeys of the eastern elevation of the house, however the ground-level views of the panels within the site are likely to be screened by the topography and existing vegetation. This is seemingly confirmed by views from the public right of way to the south of the manor house; from this route, the hedgerows and trees that define the western boundary of the site can be distantly glimpsed beyond intervening fields and vegetation (Plate 30). However, due to the rising ground and ridge, the agricultural land within the site is not visible.
- 7.20. Historic mapping does not suggest any designed viewshed from the manor house in the direction of the site (see Plate 29 above). For example, there is no indication of any designed landscape incorporating avenues or borrowed views through breaks in planting which involved the site. In any case, the local topography, namely the rising land described above, foreshortens east-facing views from the house and its gardens.
- 7.21. Given the south-eastern part of the site is private agricultural land that is in a different parish and unlikely to have been in common ownership with the manor house historically, any glimpses of the asset from the western edge of the site would not equate to important or designed views.
- 7.22. The ability to distantly perceive the western edge of the site in conjunction with glimpses of the manor house from the public right of way to the south of the asset is also incidental to understanding the special architectural and historic interest of the asset and appreciating



its rural context at the eastern edge of the settlement. In this regard, it is the more immediate fields (which were likely in common ownership historically) which contribute.

- 7.23. For these reasons, the site does not contribute to the heritage significance of Grade II Listed Hawksworth Manor through setting.

Impact Assessment

- 7.24. The nearest solar arrays will be distantly located from Hawksworth Manor, c. 400m east-south-east beyond intervening fields and vegetation as well as enhanced planting at the site boundaries.
- 7.25. The proposed development will therefore have no impact on the immediate setting of the asset or those elements which contribute most to the significance of the asset (as set out above). The agricultural land nearest the asset will also be unaffected by the development.
- 7.26. The nearest solar arrays (those proposed in the south-eastern part of the site) are anticipated to be screened from the manor house and its gardens by retained and enhanced boundary hedgerow planting, especially when factoring in the intervening topography (as described above). This would also be the case from the public right of way to the south (see Plate 30 above).
- 7.27. The other parts of the site are more distant from the manor house and the development will be well-screened from it. With specific regard to the solar arrays proposed in the north-west part of the site, this development will occur on land within the same parish but which is distant and screened from the asset. Any historic association of this land with the asset has been severed and is not tangible, therefore the development of this part of the site will have no adverse impact on the setting of the asset. Glimpsed views of the built form of this asset may experience some change, however these views do not contribute in any way to the significance of this asset. They do not provide any understanding of the elements which contribute to its significance. These views are ephemeral and only available in the winter months.
- 7.28. The views identified from private land at the southern edge of the site will not experience any change from the scheme given that panels are not located within this area and there would be no distinct views of the asset from further north. The view from the east, as identified in the HCAAMP is a private view, from another parish and as such, its value as a significant view must be questioned. In any case, where panels could be co-visible in this view, at the eastern extent, given the topography it is unlikely this view would actually contain any element of the asset or indeed, Hawksworth itself.
- 7.29. The proposed development will therefore cause no harm to the heritage significance of Grade II Listed Hawksworth Manor in terms of change to its setting.



Commentary on Conservation Consultation Response

7.30. The Conservation consultee assessed the impact of the proposals on Hawksworth Manor as follows:

“There would be some impact on the setting of Hawksworth Manor (GII) and the neighbouring Hawksworth Farm both in respect of those truncated eastward views and also through visibility of solar panels in gaps between woodland to the north and north-east, and the impact on views back to them from the footpath to the north.”

7.31. There is no detailed discussion to demonstrate that this assessment has been based on a thorough understanding of the significance of the asset or the contribution of its setting.

7.32. In the first instance, the farm buildings (which are not part of the principal listing but likely fulfil the criteria of curtilage listing) were built as functional agricultural structures; they were not designed to afford views across the surrounding landscape.

7.33. With regard to the eastward views from the manor house, these have been considered above and it has been demonstrated that visibility of the site is already foreshortened by the rising land and intervening vegetation to the east. The retention and enhancement of boundary vegetation along the western boundary of the site (nearest the asset) will not truncate any important or designed views that currently exist. The solar arrays themselves will be distant and screened from the asset.

7.34. With regards to the comment relating to ‘views back to them from the footpath to the north’, these views have been discussed above. Such views are so ephemeral to the extent that a casual observer would likely not notice them and would almost certainly not be able to identify these as buildings of any historic or architectural interest. It is not a credible position, following my site visits to views the site and surrounds, for the Conservation Officer to suggest that the glimpsed, indistinct views from the PRoW running west across the northwestern portion of the site are in any way illustrative of the significance of these assets such that they contribute to setting and to go further in suggesting that the change to these views arising from the scheme would cause harm.

7.35. In summary, the Conservation consultee has not provided clear or compelling reasoning for asserting that the proposed development would cause less than substantial harm to the significance of the asset at the lower end of the scale.

8. Grade II* Listed Church of St Mary and All Saints, Hawksworth

- 8.1. The Grade II* Listed Church of St Mary and All Saints, Hawksworth was not cited by name within the second reason for refusal; however, the Conservation consultee (in their written response) identified the development proposals as causing a low level of less than substantial harm to the significance of the asset through change to its setting.



Plate 31: Church of St Mary and All Saints, west elevation as seen from Main Road.

Description and Historic Development

- 8.2. The Church of St Mary and All Saints was added to the National List at Grade II* on 1st December 1965 (NHLE 1243797). The List Entry describes the asset as follows:

“Parish church. Tower C13 and late C17. Nave rebuilt 1812. North aisle 1837. Chancel rebuilt 1851 by Rev. G. H. Smyttan. Coursed and squared rubble and brick, dressed stone. Ashlar dressings. Slate roofs. West tower, nave, north aisle, chancel, combined vestry and organ chamber. West tower. 2 stages. Coursed rubble, ashlar and brick. Chamfered eaves band and crenellated parapet. To west, 2 pairs corner buttresses, 4 setoffs. To east, 2 buttresses, 6 setoffs. First stage has to south, a chamfered lancet. To west, restored C13 door with filleted shafts and roll moulding, round bases and capitals and hood mould. Second stage has to south, re-set

All tympanum showing Adoration of the Cross, with inscriptio "Gauterus et uxor eius Cecilina fecerunt facere ecclesiam istam in (h)onore ori uri et sce. Marie Virginis et omnium scorum dei simu". Above, chamfered and rebated C17 bell opening and clock, 1873. North side has similar opening and clock. West side has chamfered double lancet with Y tracery. Above, east and west sides have each a double lancet bell opening. Nave, 2 bays, has moulded coped parapet and east gable. To south, 3 re-set C14 gargoyles. South side has 2 lancets with Y tracery. North aisle, 3 bays, has textured quoins, moulded eaves band and coped parapet. West end has chamfered lancet with hood mould and stops. North side has 2 double lancets with Y tracery and Tudor arched reveals, and to right, door with similar head. All have hood moulds and mask stops. Chancel, 2 bays, has chamfered plinth and coped east gable with kneelers and cross. East end has 2 pairs of corner buttresses, single setoff, and sill band. C14 style triple lancet with Decorated tracery, hood mould and mask stops. South side has partial sill band with mask stop. Off-centre pointed prie't's door with head inscribe '18'1'. To left, single lancet and to right, similar triple lancet, both with trefoil heads. Lean-to vestry and organ chamber, single bay, has a coped gable. North side has a C13 style doorway. East end has re-set restored C13 chamfered lancet with hood mould. Tower chamber forming west porch has west window with C19 patterned stained glass. North wall has 6 bay C19 arcaded panel with clustered shafts, inscribed with the Beatitudes. Tower arch, C13, restored, has cove moulding and rectangular responds. Chamfered capitals with rebated corners. Nave north arcade, 3 bays, has 2 round piers with matching responds, with octagonal plinths and moulded bases. C19 Romanesque style capitals with waterleaf, cable moulding and strapwork. Arches, C13, restored, double chamfered and rebated, have hood moulds with nailhead and mask stops. South side east window has patterned stained glass. Roof, C15, restored, with chamfered timbers. 7 wooden corbels, some with moulded ends. Double ridge piece to west, single to east. North aisle has lean-to roof restored C20. Chancel arch, C13, restored, has double chamfer and rebate. Matching responds with simply moulded capitals and bases. Chancel has chamfered and moulded openings with painted decoration and texts around heads. North side has to west, Tudor arched opening to organ chamber and to its right, door and double aumbry with roll moulding and trefoil heads. East end has inscribed marble curb on windowsill and window with stained glass by Wailes, 1851. South side has to east, chamfered trefoil headed piscina and to west, doorway flanked by single lancets with C19 patterned stained glass. Arch-braced principal rafter roof with collars. Moulded corbels and wall plate have painted texts. Fittings include font, C14 with octagonal stem and water holding base and C19 octagonal bowl with dogtooth band. Mid C19 brass lectern. Late C19 traceried panelled stalls and desks with shaped ends and arm rests. Linked chairs. C19 poor box on C12 chamfered and moulded wooden stem. Moulded altar rail on foliate iron stems. 12 foliate iron wall sconces, 2 mid C19 brass and sheet metal chandeliers, 2 foliate candle brackets. Memorials include large section of Anglo-Saxon cross shaft with incised decoration. C19 painted stone tablets with Creed and Lord's Prayer. 3 marble tablets, early C19.

Small brass, probably C18. Marble war memorial tablet c.1920. Memorial inscriptions on chancel walls, 1700, 1878, 1906."

- 8.3. The full list entry is within **Appendix 3**.
- 8.4. In summary, the church has medieval origins but has been successively remodelled and rebuilt, in common with numerous parish churches found regionally and nationally. The dominant materials are stone and brick and it is notable for incorporating a reset tympanum and sculpted corbels that probably date from the early to mid-12th century. An inscription on the tympanum documents the patronage of a Walter and his wife, Cecelina, who commissioned the medieval church and likely correspond with later members of the D'Aincourt family.¹¹
- 8.5. The church (and village of Hawksworth) are described in the J. Throsby 1790 publication *Thoroton's Historic of Nottinghamshire: Volume 1*¹² as follows: 'The village and the church also, are inferior places: the latter is dedicated to St. Mary and All Saints and has a brick tower.'

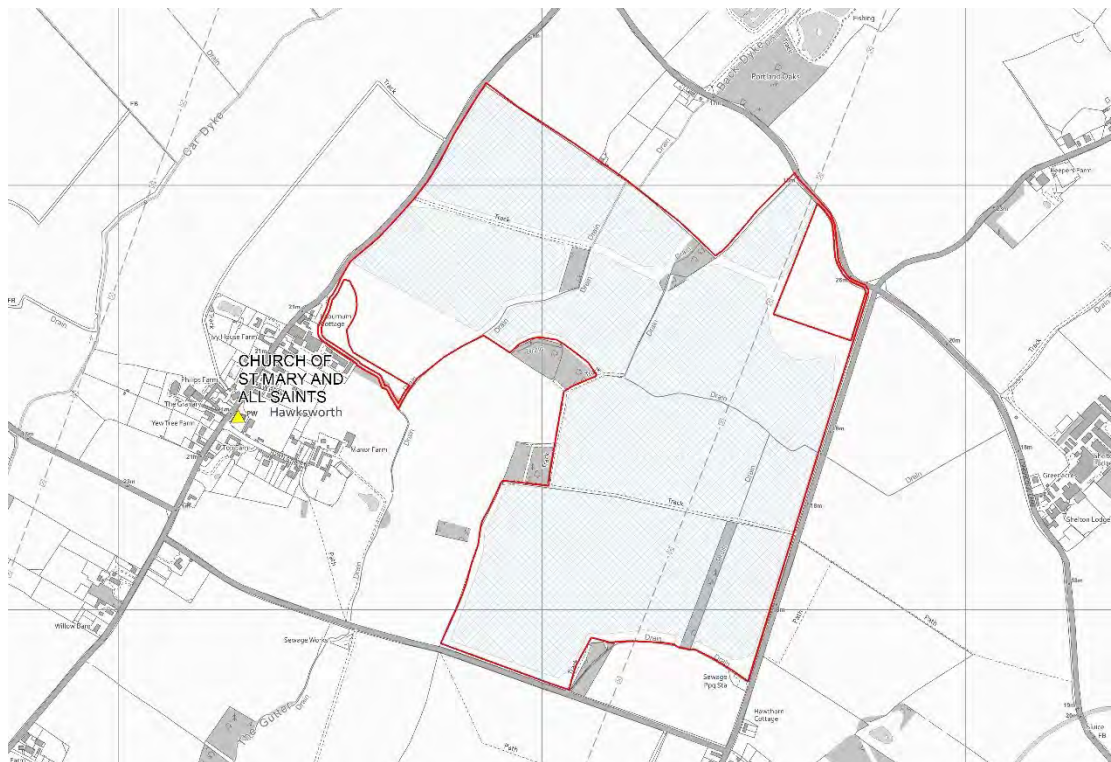


Plate 32: Location of Gll* Church of St. Mary and All Saints and Appeal Scheme.

¹¹ CRSBI, 'St Mary, Hawksworth, Nottinghamshire', <https://www.crsbi.ac.uk/view-item?i=6400>.

¹² <https://www.british-history.ac.uk/thoroton-notts/vol1/pp258-260> (accessed May 2024)

Setting, Approaches and Views

- 8.6. The immediate setting of the church comprises its churchyard which follows the late 19th-century boundaries. It is from the churchyard and surrounding roads that the external fabric of the church can be best appreciated.
- 8.7. The former rectory (Hawksworth Place) stands immediately south-east of the church and can be readily experienced in conjunction with it such that the historic relationship, whilst since severed, is still tangible.
- 8.8. The church is located at the centre of the settlement which is reflective of its medieval origins as the focal point of the settlement. The surrounding historic buildings give legibility to this context and have long been served by the church.
- 8.9. The principal approaches to the church are from the north-east and south-west via Main Road. There is a secondary approach via Town Street (from the south-east) which connects with the public right of way that runs across the field south of the village.
- 8.10. Due to the surrounding built form of the settlement and the relatively squat church tower, the asset is not readily visible in conjunction with the agricultural hinterland of the village. There are dynamic views along Main Road where glimpses out to agricultural land north-west of the village are seen sequentially with views of the church. From the wider landscape, the church tower is generally well-screened by the tree belts that surround the village.
- 8.11. The historic and ongoing function of the church as a place of worship means that it was not designed to afford views out across the wider landscape. Instead, it was designed to be a landmark building chiefly visible from within the settlement and, to a lesser extent, from more distant vantage points across the parish.

Statement of Significance

- 8.12. The Grade II* Listing of St Mary and All Saints' Church highlights it is a designated heritage asset of the highest significance as defined by the *NPPF*.¹³ This significance is consolidated by its inclusion within the boundaries of the Hawksworth Conservation Area.
- 8.13. The heritage significance of the church is principally embodied in its physical fabric. It derives historic interest from its form and character as a parish church of multiple phases, its probable medieval association with the D'Aincourt family, and its community value as a still-functioning place of worship. Architectural and artistic interests are embodied in its historic fabric, fixtures and fittings which are of various ages. Whilst the earliest features are of particular interest, later additions also contribute to these interests due to the quality of craftsmanship. The building also possesses archaeological interest due to its potential late Anglo-Saxon origins and known early/mid-12th-century phase of which only remnants survive. Consequently, there is potential for there to be concealed or buried remains that

¹³ DLUHC, *NPPF*, para. 206.

yield new information about the earliest development of the building as an ecclesiastical site.

8.14. The setting of the church also contributes to its significance, although the significance derived from its setting is less than that derived from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its "setting") which are considered to contribute to its heritage significance are summarised below (in order of importance):

- Its churchyard, which illustrates the ecclesiastical function of the building and the provision of burial (historic interest) and also facilitates the best views of the building from which the historic, architectural and artistic interests of its external fabric can be most readily appreciated.
- The junction of Main Road and Tower Street, from which there are important public views of the church in which its architectural and artistic interest can be appreciated, and which illustrate how the church was the focal point of the medieval settlement (historic interest).
- The neighbouring former rectory, with which it possesses group value.
- Other historic elements of Hawksworth settlement which the church was designed to serve and continues to serve (historic interest) and from which there are select glimpses of the church, especially its tower.
- To a lesser extent, elements of the surrounding agricultural landscape within the parish where it can be demonstrated these elements form the content of key views of the church tower and make a meaningful contribution to the understanding of the church's location within a historic farming settlement.

Any Contribution of the Site to Significance through Setting

8.15. The north-west part of the site is located within Hawksworth parish (which was historically served by the church), although historically this was a secular manor and there is no known evidence of a direct functional association between the church and the site (i.e. there is no record of it being glebe land).

8.16. There is no perception of the site from the immediate setting of the church. When looking out from the churchyard in the direction of the site, the site is screened by intervening vegetation and built form (Plate 33). Similarly, there is no perception of the site in conjunction with the church from the public realm within the historic built-up settlement core of Hawksworth.



Plate 33: South-east-facing view from the churchyard of St Mary and All Saints in the direction of the appeal site (not visible).

- 8.17. The church tower is only vaguely and distantly visible from the public right of way that runs through the north-west part of the site (Plate 34). This part of the site is located within the same parish but the public right of way is a modern creation and not a historic approach to the village or its church. As has been discussed previously and seen on Plate 21 and Plate 22 (the 1883 and 1921 Ordnance Survey maps respectively), it is apparent that the Appeal Site was historically much more sub-divided with a far greater number of field boundaries. The footpath which crosses the northwestern portion of the site was only established in the latter half of the 20th century and follows a former field boundary. It is likely, therefore, that historically there would not have been a vantage point of the church from the location of the modern PRoW. The open view which has facilitated a glimpsed, indistinct view of the upper stages of the church tower from very limited points along the PRoW is an entirely modern creation.
- 8.18. Whilst it is acknowledged that setting of assets changes over time with elements such as the removal of vegetation, it is not the case here that the removal of hedgerows and historic field boundaries has suddenly opened up a view which better reveals and illustrates clearly the significance of this church, or any of the heritage assets visible from this PRoW. These assets are not experienced, in terms of the use of that word in the definition of setting as set out in the glossary of Annex 2 of the NPPF, from this PRoW.
- 8.19. In any case, it is only the uppermost part of the tower that can be glimpsed beyond intervening built form and this is filtered by intervening trees, even in the winter months.

When these trees are in full leaf during the summer months, it is anticipated that the tower will be screened from view. In line with Historic England's guidance, these incidental, long-distance, filtered glimpses and do not equate to key views of the church tower. They do not illustrate the historic interest of the asset and given the very limited nature of the view, the church cannot be said to be acting as a waymarker or any other sort of landmark. These views, therefore cannot be said to contribute to the significance of this building as they do not illustrate any contributory elements.

- 8.20. As noted in 1790 by J. Throsby, the church is '*inferior*'. Whilst I cannot ever say with certainty what Throsby intended with this statement, it seems to me that what was implied was not that the building has no architectural merit or historic interest, rather that it is not a grand and visually imposing building, but one which is nestled into the core of the settlement of Hawksworth and very visually contained. There are very few views of the church on other approaches into the settlement. The views travelling in from the west are very glimpsed, occasional views of the top of the tower. It is not a visual presence within the surrounding landscape.
- 8.21. Due to the Site being located within the same parish as the church, it makes a small contribution to the significance of the asset through historic association – however the character of the land – that is, its current agricultural nature, does not form part of that contribution. Whether the land is developed, agricultural, recreational commercial or for any land-use, it would still form part of the parish and that contribution would remain.



Plate 34: South-west-facing view from the public right of way in the north-west part of the site.

The location of St Mary and All Saints' Church is indicated with a yellow arrow. Only the uppermost part of the tower is vaguely and distantly perceptible.

Impact Assessment

- 8.22. The nearest solar arrays will be positioned over 400m north-north-east and 600m east-south-east of the church and separated from the church by intervening built form within the settlement and the most immediate surrounding agricultural land.
- 8.23. The proposed development will not affect the most important views of the church i.e. from the churchyard and within the historic settlement core.
- 8.24. From the wider setting of the church, the development will not affect long-range glimpses of the church when approaching via the Main Road and Town Street, or the public rights of way from the south and west. There will be no views of the site and the church approaching from the west, along Hawksworth Road or the unnamed road between Thoroton and Hawksworth due to topography and existing vegetation outside the site boundary.
- 8.25. The proposed development will only affect the views from public right of way to north-east, as described and illustrated above (Plate 34). The introduction of solar arrays will interrupt

the long-range glimpses of the uppermost part of the church tower in the winter months, but these are not key views which contribute to the significance of the asset. In addition, these are views across a modern landscape, from a modern PRoW which provide views which are not a reflection of the historic landscape which was far more sub-divided and enclosed.

- 8.26. The Appeal scheme will result in a change of character within the Site which is noted as forming part of the significance of the asset through historic association. However, as stated, the nature of this contribution and the association is that the church and Site are within the same parish. The nature or function of the land is incidental in understanding this association. Therefore the change in character within the Site arising from the Appeal scheme will not result in any change to this aspect of the significance of the asset.
- 8.27. As such, the Appeal scheme will not result in any harm to the significance of this asset through changes to setting.

Commentary on Conservation Consultation Response

- 8.28. The Conservation consultee recognised that there is limited perception of the church from the wider landscape:

“As the tower of the church in Hawksworth (All Saints) is much lower than the spire of St Helena views back towards Harksworth from Thoroton and the road and footpaths between the two villages do not feature the church so prominently, and not at all from any significant distance. From the road, and the footpath that enters Thoroton opposite Manor Farm, views of Hawksworth are not possible.”

- 8.29. The Conservation consultee has acknowledged that the views of the church from the PRoW and road entering Thoroton are not possible (thus further removing any sense of a ‘link’ between the two settlements) and that the lower tower makes the asset much less prominent from other roads and footpaths between the two villages however it is considered that the only view of the tower would be in the location described below. There are no further locations where the church tower is visible in conjunction with the site.

“On emerging from the wood, the landscape in all directions would be dominated by arrays, glimpses of buildings on the fringes of Hawksworth would be adversely affected, some of these include glimpses in the distance of the boundary walls around Hawksworth Place and outbuildings north of Harksworth Manor (albeit these are largely screened by tree belts and more modern agricultural buildings), indeed owing to the height of panels in proximity to the viewer and Hawksworth being down a gentle slope it is likely that from this position the village would no longer appear in views. Passing further west the tower of the church eventually emerges, again it is seen in winter through the open canopy of trees and I suspect it is less prominent, if visible at all, from this position in summer.”

- 8.30. The visibility of the church tower from the public right of way in the north-west part of the site is acknowledged. I have explained why these do not equate to key views or otherwise



contribute to the significance of the asset. The consultee has acknowledged that these already distant, filtered glimpses will likely be screened in the summer months.

- 8.31. The Conservation consultee set out the impact of the proposed development on Hawksworth church as follows:

“St Marys Church sits well within Hawksworth village, with its churchyard and relatively open relationship with the former Rectory at Hawksworth Place forming its immediate setting. I have noted above some vantage points from public rights of way and approaches from the north of the village where glimpses of the tower are possible and would be affected by the proposal, although these views are less frequent than views of the spire in Thoroton, owing to the shorter nature of the tower and that in several instances views are only possible at the time of my visit as trees were not in leaf. I would suggest that the level of harm for the church is low...”

- 8.32. As set out above, when assessed against Historic England’s setting guidance (including specific guidance on church towers/spires), these equate to incidental glimpses of the church tower and make no contribution to its significance through setting.

- 8.33. It is my opinion that these glimpsed views do not reach the threshold of causing harm to the significance of the asset. It is considered that the finding of harm from the Conservation consultee is not credible. They have equated visibility of the scheme with causing harm, an incorrect application of the setting guidance. There is no compelling case set out by the Conservation consultee as to why this glimpsed visibility causes harm.

9. Grade II Listed Model Farm Buildings at Top Farm, Hawksworth

- 9.1. The Grade II Listed Model Farm Buildings at Top Farm were not cited by name within the second reason for refusal; however, the Conservation consultee identified the development proposals as causing less than substantial harm, “likely in the lower part of the scale”.



Plate 35 Location of GII Model Farm Buildings and Top Farm and Appeal Scheme

Description and Historic Development

- 9.2. The Model Farm Buildings were added to the National List at Grade II on 14th November 1986 (NHLE 1243799). The List Entry describes the asset as follows:

“Model stable range and adjoining stables. 1837. Brick with gabled, hipped and lean-to pantile roofs. Chamfered eaves, brick coped gables with kneelers and ball finials. Single side wall stack. Single, 2 and 3 storeys. 4 bays wide. Square plan with central yard. Windows are mainly casements with chamfered reveals and hood moulds. Town Street front has off-centre tower, 3 stages, flanked by single storey wings. Tower has four centred arched door with hood mould and above, mullioned casement. Above again, a smaller casement. Above again, square brick bell turret with 4 chamfered openings and ogee leaded dome. Wing to right has 2 plain casements. Door in return angle. Main Street front has to left, cartshed, 2 bays, with timber posts. To right, 2 storey stable with elliptical headed carriage doorway and to right, door with segmental

head and a casement. Above, datestone inscribe '18'7' and to right, square hatch. Adjoining single storey stables have to south east a plain casement and a door."

9.3. Full list entry is within **Appendix 3**.

9.4. The farm buildings are most publicly visible from Town Street, from which is it possible to appreciate the general layout (Plate 36) and especially the tower and northern elevation of the range beyond the intervening brick boundary wall (Plate 37). There are also glimpses of the buildings from Main Road to the west. Generally, the asset is experienced as a collection of former farm buildings of predominantly brick and clay pantile construction that have since been residentially converted. The tower is the most prominent element and exhibits the highest quality architectural details, including four-centred arched doorways, hoodmoulds, ball finials and a domed brick bell turret with weathervane. The upper floor of the tower is legible as a former dovecote; a photograph taken in 2007 and included with the online List Entry¹⁴ clearly shows nesting holes in the southern aperture.



Plate 36: West-facing view of Top Farm from Town Street.

¹⁴ <https://historicengland.org.uk/listing/the-list/list-entry/1244181>



Plate 37: Northern elevation of the model farm buildings as seen from Town Street.

- 9.5. The model farm buildings are recorded on the First Edition (1883–84) Ordnance Survey map (Plate 38) but are not labelled as such. At that time, there appears to have been an access track off Main Road that broadly corresponds with the current driveway to the north-west.
- 9.6. By 1920, new ranges/structures had been built on the southern and eastern sides of the farmyard, such that this had become completely enclosed. The southern range is no longer extant.



Plate 38: First Edition (1883–84) Ordnance Survey map (25 inch) showing the model farm buildings at Top Farm (purple arrow).



Plate 39: 1915–20 Ordnance Survey map (25 inch) showing the model farm buildings at Top Farm (purple arrow).



Setting, Approaches and Views

- 9.7. The modern residential conversion of the buildings is reflected in the domestication of its immediate surrounds. A swimming pool and patio area have been created in the former farmyard, there are lawn areas and domestic planting, there is an equestrian menage to the south, and various tarmacked driveways and parking areas have been created. The asset is partially surrounded by boundary brick walling which varies in height and age. The oldest sections appear to be located on the northern side of the complex, separating the asset from Town Street. The walling here is tall and robust, with buttressing and dentil and canted brickwork along the upper courses. There are two gate piers with finials and an iron gate that provide pedestrian access to the doorway on the northern side of the tower. The wider setting of the asset includes the settlement of Hawksworth and open agrarian land to the south.
- 9.8. There are now three driveway approaches from Town Street to the east and from Main Street to the north-west and south-west. Of these, it is the north-west approach that appears to be historic along with the pedestrian access through the gated entrance off Town Street.
- 9.9. As a collection of former farm buildings, the asset was designed for agricultural purposes and was not intended to afford views across the wider settlement or landscape. This is exemplified by the fact the upper floor of the tower was historically in use as a dovecote.
- 9.10. On the other hand, the incorporation of the tower and architectural finesses to this structural feature and the boundary walling on the northern side of the complex indicate that the buildings were erected as a display of agricultural wealth and were designed to be admired by passersby, especially those travelling along Town Street. The buildings, and especially the tower, can also be glimpsed from parts of the surrounding landscape; for example, from the public right of way across the field to the south-east (Plate 40).



Plate 40: North-west-facing view towards Top Farm (location marked with a purple arrow) from the public right of way across the field to the south-east.

The appeal site is to the back of the viewer and not visible.

Statement of Significance

- 9.11. The Grade II Listing of the model farm buildings highlights that they comprise a designated heritage asset of the less than the highest significance as defined by the *NPPF*,¹⁵ although this significance is consolidated by their inclusion within the boundaries of the Hawksworth Conservation Area.
- 9.12. The heritage significance of the asset is principally embodied in its physical fabric. It derives historic interest from its general age, form and character, being legible as a former model farm that dates from 1837. Whilst modern alterations and refurbishments illustrate its adaptation to domestic use, they do not contribute to its historic interest. The architectural and artistic interest of the asset will be embodied in the earliest fabric and decorative fixtures and fittings. The tower is of particular interest in this regard because of its architectural sophistication.
- 9.13. The setting of the asset also contributes to its significance, although the significance derived from its setting is less than that derived from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its "*setting*") which are

¹⁵ DLUHC, *NPPF*, para. 206.



considered to contribute to its heritage significance are summarised below, in order of importance:

- The historic boundary walls give legibility to the original extent and subdivision of the farm complex (historic interest) as well as possessing architectural interest in their own right.
- Other residual elements of the historic farm complex, such as the access points from the north and north-west, also contribute in terms of understanding the historic experience of the complex.
- The most immediate historic elements of the settlement, especially Town Street and its associated buildings, contribute in terms of understanding the intended location of the farm complex on the southern side of the village and the historic intent for the asset's built form to be admired from these main thoroughfares.
- Whilst the extent of the historically associated landholdings is unknown, these landholdings were likely located within the same parish and probably included the agricultural land to the south. This agricultural land to the south makes some contribution in terms of giving legibility to the immediate agricultural hinterland of the asset and its position on the southern edge of the settlement, especially in the views from the public right of way (see Plate 40 above).

Any Contribution of the Site to Significance through Setting

- 9.14. The appeal site lies over 300m north-north-east and approximately 600m east-south-east of the model farm buildings at its nearest points.
- 9.15. The northwest part of the site is located in the same parish as the asset but on the opposite side of the village. As such, it is well separated from the asset by intervening built form and vegetation. The separation of this part of the site from the asset diminishes the likelihood of a historic functional association and, if any such association did exist, it has long since been severed and is not tangible.
- 9.16. The southeast part of the site is located in a different parish and historic manor, such that a historic association with the asset in terms of landownership and/or functional use is unlikely. Again, even if such an association did once exist, it has been severed.
- 9.17. There are no historically designed views from the asset towards the site. Whilst the tower is a landmark feature within the village, it is only vaguely perceptible from the wider landscape or else screened by intervening buildings and vegetation. There are no public views of the tower from the Appeal site. From the public right of way that runs through the north-west part of the site, the tower is not perceptible.
- 9.18. The appeal site therefore makes no contribution to the significance of the Grade II Listed Model Farm Buildings through setting.

Impact Assessment

- 9.19. The proposed development will be well separated from the asset. The nearest solar arrays will be located c. 520m north-north-east and 620 east-south-east of the asset, beyond intervening built form, vegetation and agricultural land.
- 9.20. The only element of surrounding agricultural land which is identified as contributing to significance is the land to the south which gives legibility to the former farm complex. This agricultural land will not experience any change as a result of the Appeal Scheme.
- 9.21. The development is not anticipated to be visible in views from the tower. In any case, these equate to modern amenity and not historically designed views.
- 9.22. The site does not facilitate any key or designed views of the model farm buildings that would be interrupted or adversely affected by the proposed development.
- 9.23. The proposed development will therefore cause no harm to the significance of the asset through change to setting.

Commentary on Conservation Consultation Response

- 9.24. The Conservation consultee initially considered Top Farm as part of their general assessment of the Hawksworth Conservation Area, as follows (underlined is my emphasis):

“The landmark of the church, the tower of Top Farm, other farm buildings and trees provide an attractive scene on approaching the village. There are also some particularly fine views over open countryside. From a point at the entrance to Top Farm’s grounds on Main Road for example, one can appreciate views over open countryside of the church spire at St Helena’s in Thoroton. Paddocks and small fields on the outskirts of the village provide a more traditional rural setting than intensively farmed arable land. The particularly fine architectural detailing of Top Farm suggests that not only was the village one with a strong agricultural foundation, but that farming on the fringes of the vale of Belvoir was both lucrative and profitable. The village includes a high proportion of farms amongst its properties, with 5 farms within the relatively small village (Manor Farm, Top Farm, Yew Tree Farm, Philips Farm, Ivy Farm), again highlighting the importance of the agricultural connection of the village.”

- 9.25. I agree that the tower of the model farm is an important landmark building on select approaches to and within Hawksworth. The ability to perceive the tower and the quality of such views depends on the distance, the intervening topography, and the presence of intervening buildings and vegetation.
- 9.26. The view from the entrance to the grounds of Top Farm has been illustrated previously (see Plate 9 above). This entrance and driveway are modern creations, as evidenced by the historic mapping and discussion above. They do not reflect the historic experience of the model farm and the ability to perceive the spire of St Helena’s Church is inconsequential to understanding the significance of Top Farm as a former agricultural complex.

9.27. I concur with the consultee that the fine architectural detailing of the model farm, and especially that of the tower, reflects the importance and success of the historic agricultural economy.

9.28. The consultee went on to assess the impact of the proposed development on the significance of Top Farm as follows:

“Top Farm in Hawsworth is a grand farmhouse with a decorative tower and associated Model Farm buildings, as such its relationship with an agricultural landscape plays a higher role in informing its significance, however it is well [sic] separated from the proposed development, and in most direct views the nearest part of the site is beyond a slight rise. There may be views from first floor rooms, and likely from the tower which may have had a function as a surveying or lookout point. I would suggest that there would be some harm to its significance through setting and would agree that this is likely in the lower part of the scale, but I would not agree that it would be ‘negligible’, particularly as views from the elevated tower position would be notably affected.”

9.29. It is common ground that the appeal site is well separated from the asset. For reasons set out above, there are doubts regarding whether the model farm ever possessed a direct functional association with the site, especially given a substantial part of the site lies in a different parish and historic manor, and the remainder of the site lies on the opposite side of the village.

9.30. I disagree with the consultee’s characterisation of views from the model farm buildings. For reasons set out above, there were no historically designed views out from the farm buildings. The assertion that the tower functioned as a ‘surveying or lookout point’ is not supported by the architectural evidence. The uppermost floor of the tower historically functioned as a dovecote and windows would have provided natural light to assist with internal access.

9.31. Modern amenity views from the windows that face north–north–east will be focused on and foreshortened by the church and Hawsworth Place which stand immediately opposite. There are no windows in the eastern elevation of the tower and therefore no views in the direction of the south–east part of the site. The assertion that views from the tower would be ‘notably affected’ by the proposed development is therefore not credible.

9.32. The consultee’s assertion that there would be less than substantial harm on the lower part of the scale to the significance of Top Farm through change to its setting is therefore based on a misunderstanding of the historic use of the asset and its internal spaces, and ascribing importance to incidental views that do not contribute to the significance of the asset.

10. Hawksworth Conservation Area

- 10.1. The second reason for refusal cites harm to the significance of the Hawksworth Conservation Area. The Conservation consultee articulated the level of harm as moderate, less than substantial.
- 10.2. The Hawksworth Conservation Area was first designated in 1974 and the most recent version of the Hawksworth Conservation Area Appraisal and Management Plan (HCAAMP CD 8.1) was published in September 2022 following a draft (CD 8.3), and adopted in July 2023. This replaced the previous HCAAMP (February 2010 (CD 8.4)).
- 10.3. From the outset, it should be noted that the latest HCAAMP went through a number of iterations whilst being prepared and at least one early draft is available online. Having studied these different versions and compared them to the 2010 HCAAMP, it is evident that the appraisal has been altered and expanded to give greater prominence to views across land to the north-east of the settlement (including the current appeal site). The latest HCAAMP also identifies significant views from private land which therefore cannot be publicly experienced. These matters are discussed in more detail below.

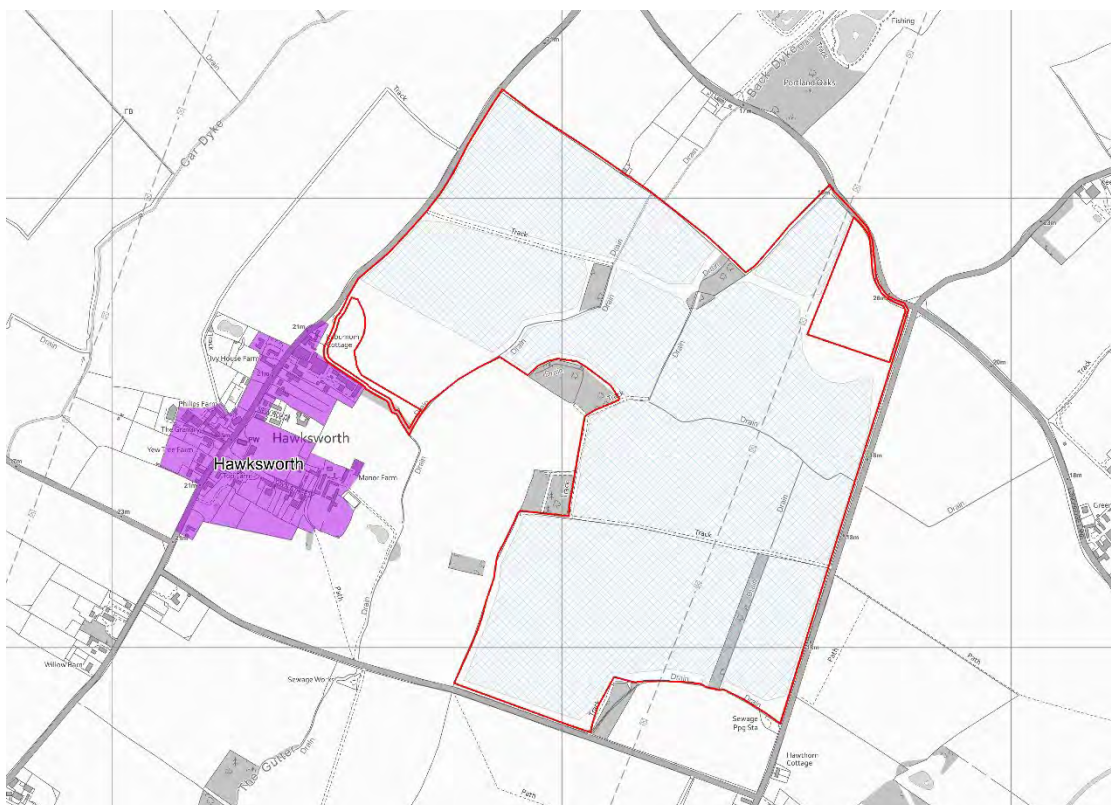


Plate 41 Location of Hawksworth Conservation Area and Appeal scheme



Historic Development

- 10.4. The historic development of Hawksworth is set out within the HCAAMP and only the salient points need be reproduced here.
- 10.5. There is evidence of prehistoric activity in and around Hawksworth since the Neolithic period, as evidenced by the discovery of archaeological remains. There is thought to have been an early medieval precursor to the current settlement, as evidenced by earthwork features and the remains of a sculpted grave cover within the parish church (the latter was previously misinterpreted as the remains of a cross-shaft and has most recently been dated to the late 10th or early 11th century).¹⁶
- 10.6. The settlement is recorded in Domesday Book and the standing fabric of the parish church provides physical evidence of the medieval settlement. Although the church is predominantly thought to date from the 13th and 17th centuries, it incorporates a carved tympanum and sculpted corbels that can be stylistically dated to the early/mid-12th century.¹⁷
- 10.7. Hawksworth mirrors Thoroton in the sense that it has grown slowly as an agricultural settlement, as evidenced by the small size of the village and the various farmhouses and agricultural buildings within the village and the surrounding fields. Since the late 19th century, there has been some residential infill development (which has connected the historically separate southern and northern clusters of the settlement) and well as some built expansion at the settlement edges, again as a result of residential development but also the erection of modern agricultural buildings. The late 19th-century engineering works at the north-eastern edge of the settlement has also expanded considerably.
- 10.8. A series of maps shown below illustrate the development of the settlement through the 20th century.

¹⁶ Corpus of Anglo Saxon Stone Sculpture.

¹⁷ CRSBI.



Plate 43: 1975 Ordnance Survey Map.

Note this is the first appearance of the public right of way in the northwestern portion of the site, replacing the former path along the northern boundary of Hawksworth, which potentially coincided with expansion of Stubbs Engineering Works.

Character and Appearance

- 10.9. Historically, Hawksworth possessed a more dispersed settlement layout with separate clusters of built form around the eastern end of Town Street, around the parish church (junction of Main Road and Town Street) and to the north-east. Due to later infill development and settlement expansion (as described above), this dispersed settlement pattern is less legible. Instead, there is a sense of nucleated settlement pattern around the parish church and junction of Main Road and Town Street, which gives a residual sense of the core of the medieval settlement, and linear development elsewhere along Main Road and Town Street, which gives legibility to the later expansion of the village.
- 10.10. The Conservation Area contains several historic buildings and structures, of which there are six statutorily listed assets. There are various building types, although most reflect the village's development as an agricultural settlement, hence the relatively large number of agricultural structures alongside domestic buildings. In terms of scale, most buildings are between one and two storeys. Traditional building materials comprised stone for the highest status buildings (e.g. parts of the church and Hawksworth Manor). Orange-red brick (sometimes painted or rendered) and clay and slate tiles are common for the later (predominantly 18th and 19th-century) buildings.
- 10.11. Boundary treatments tend to be marked by brick and stone walls or hedges. Green verges (including the small sub-triangular green at the junction of Main Road and Town Street), hedgerows and mature trees contribute to the rural character of the Conservation Area. The churchyard of St Mary and All Saints' and the gardens and grounds associated with the larger dwellings, such as Hawksworth Place, constitute important, historic, designed green spaces.

Setting, Approaches and Views

- 10.12. Hawksworth is one of a group of small villages in the southern part of Nottinghamshire. It is surrounded by open countryside, predominantly characterised by large, flat arable fields, which is accessible by a network of public footpaths.
- 10.13. The Conservation Area boundary includes some of the immediate paddocks that separate and surround the built settlement and various tree belts. These elements of the rural landscape are most readily experienced in conjunction with the historic core of the settlement which appears to explain their inclusion within the designation area. A stream, 'The Gutter', runs to the east of the Conservation Area and shapes the shallow valley topography in this area.
- 10.14. The principal approaches to the Conservation Area are from the north-east and south-west via Main Road. There are also public rights of way which provide approaches from the fields to the south and west of the village.
- 10.15. Significant views within, out from and into the Conservation Area are illustrated on the Townscape Appraisal which accompanies the HCAAMP and variously described and illustrated within the document (Plate 47). Not all of these vantage points are publicly accessible and the significance of select views might be questioned (see further discussion below with specific regard to the appeal site).

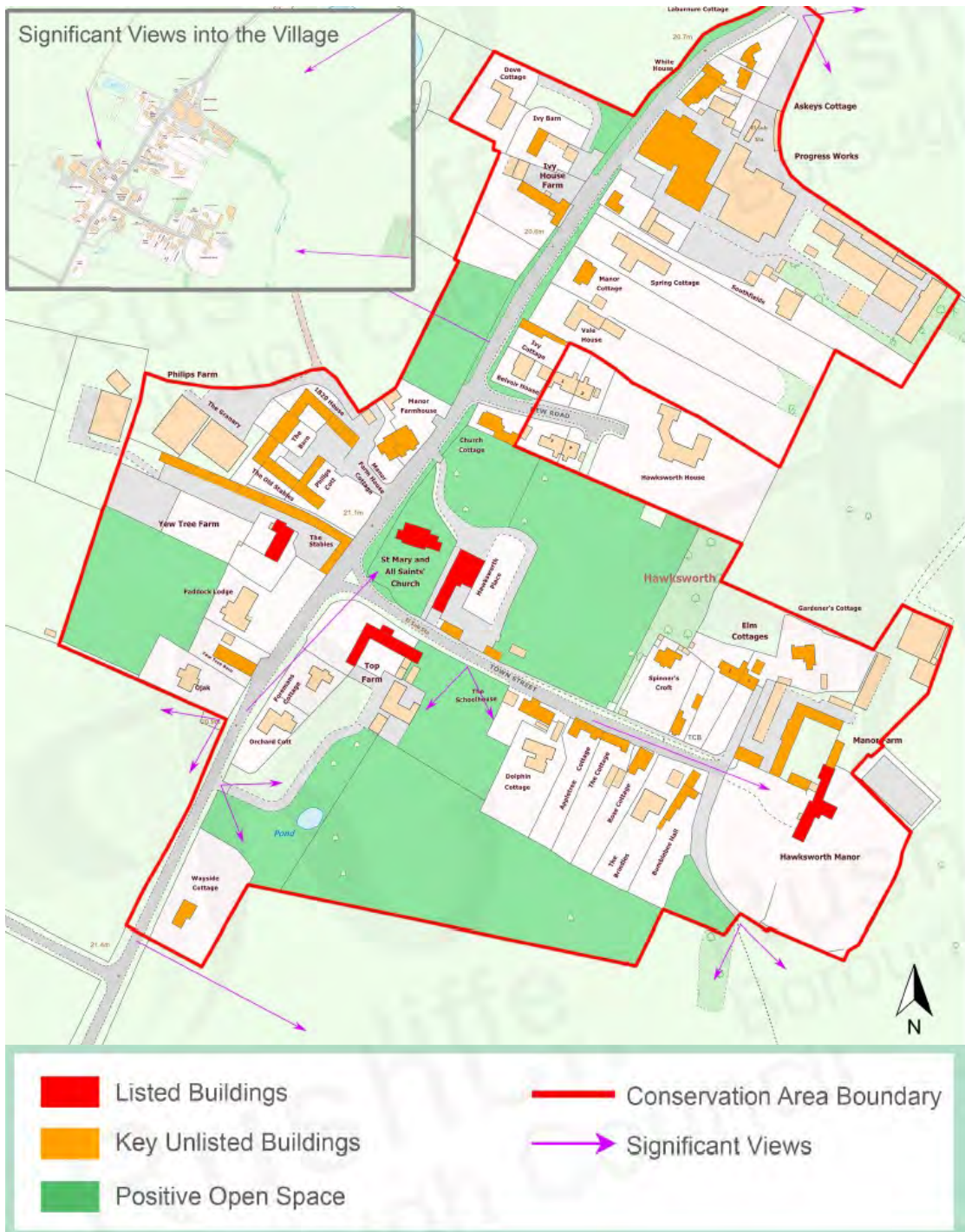


Plate 44: Extract of Hawksworth Townscape Appraisal.

- 10.16. Ultimately, the most important views are the dynamic views and street scenes along Main Road and Town Street which contain the highest concentration of historic built form, are variably softened and filtered by mature vegetation (which contributes to the rural character of the area), and gradually change and unfold as the roads meander.



- 10.17. In line with Historic England's guidance, views towards the Conservation Area from the surrounding landscape are only of particular note where these enable the historic built form of the settlement to be appreciated within the context of its agricultural landscape from important historic routes.¹⁸

Statement of Significance

- 10.18. The HCAAMP summarises the special interest of the Conservation Area as follows:

"C18th and C19th Red brick and pantile roof buildings throughout the village.

19th century W.B. Stubbs Engineering Works in the north of the village.

Norman church with 19th century brick tower.

Brick and stone walls define property boundaries along the highways.

Verges on entrances to and throughout the village, well maintained by village residents. Extensive daffodil displays along village verges.

Grass triangle at the top of Town Street with "Geoffrey's Tree" a focal point for meetings and social visits.

Good network of footpaths, bridle tracks and country lanes offering beautiful views of the village and countryside."

- 10.19. It is clear that the significance of the Conservation Area is principally derived from the intrinsic elements of its character and appearance (as set out above) which contribute to the special architectural and historic interest of the area and are the reasons for which it was designated. Important elements of the asset's character and appearance include the layout of the village, the traditional built form, boundary treatments, mature vegetation, and green spaces.
- 10.20. The setting of the Conservation Area makes a lesser contribution to its significance. This is reflected in the fact that there is no statutory protection for the settings of Conservation Areas. The principal elements of the physical surrounds and experience of the asset (its "setting") which are considered to contribute to its heritage significance are those parts of the immediate agricultural landscape which can be most readily experienced in conjunction with the historic built core and therefore give legibility to its origins and development as an agricultural settlement.

¹⁸ Historic England, *Conservation Area Appraisal, Designation and Management: Historic England Advice Note 1* (2nd edition, February 2019), esp. paragraphs 58 and 59.



Any Contribution of the Site to Significance through Setting

- 10.21. The north-west part of the site is located immediately north-east of the Conservation Area and is located within Hawksworth parish though the panels are set back approximately 150m from the redline boundary. This is open agricultural land that has been historically associated with the development of the settlement, although 19th-century mapping illustrates greater subdivision of this land into smaller field parcels.
- 10.22. The HCAAMP and Hawksworth Townscape Appraisal identify a significant viewshed across this part of the site from the north-easternmost corner of the Conservation Area (from the access road adjacent to Laburnum Cottage). This view is illustrated as Figure 15 of the latest HCAAMP and described as follows:
- “At the edge of the village, from the access road adjacent to Laburnum Cottage there is a particularly fine view across farmland and open countryside”.***¹⁹
- 10.23. Crucially, there is no description or illustration of this view in the Draft Version of the September 2022 HCAAMP (CD 8.3). A ‘panoramic view’ was identified in this general area in the previous 2010 HCAAMP (CD8.4), however the vantage point was plotted outside the Conservation Area. The 2022 Townscape Appraisal has re-plotted the vantage point to bring it within the designation area instead and has elevated the description of the view.
- 10.24. The vantage point of this significant view (as currently plotted) is located on private land and is not publicly accessible. Therefore, the view as shown on Figure 15 of the 2022 HCAAMP is not one that can be publicly viewed. From the nearest publicly accessible area adjacent to this vantage point (i.e. Main Road), the agricultural land within the appeal site is largely screened by intervening hedgerows (Plate 48 & Plate 49). This screening effect will be more pronounced in the summer months. These do not equate to ‘fine’ views across farmland and open countryside.
- 10.25. Even from the private vantage point where the openness of the land within the north-west part of the appeal site can be experienced, this openness is not a historic characteristic, as evidenced by historic mapping which illustrates greater enclosure with increased numbers of field boundaries.

¹⁹ HCAAMP, pp. 9–10.



Plate 45: East-south-east-facing from Main Road, near to the vantage point of the significant view from the north-easternmost edge of the Hawksworth Conservation Area.

The appeal site lies in the far-distance of this view and to the north (left), out of shot.



Plate 46: East-facing from Main Road, near to the vantage point of the significant view from the north-easternmost edge of the Hawksworth Conservation Area.

The panels of the appeal site would be located behind a new proposed hedgerow which would reinstate an historic field boundary shown on the 1883 Ordnance Survey map.

- 10.26. The HCAAMP also identifies a significant view looking south-west toward the Conservation Area from the public right of way that runs through the north-west part of the site. This is not a historic public right of way; it is not recorded on 19th century or early 20th-century maps and was evidently established much later, by 1975 when the historic footpath on the north-east side of Hawksworth was rerouted.
- 10.27. Current views from this public right of way are across open agricultural land with the north-east edge of the settlement distantly visible (Plate 50). The route of the modern footpath follows the line of a former field boundary (still legible on the ground) and there were once additional field boundaries between the village, therefore, historically, there would not have been open views back towards the settlement.
- 10.28. The content of these views is predominantly the agricultural land, with the built edge of the Conservation Area being only vaguely perceptible. This built edge largely comprises the engineering works which includes late 19th-century buildings but also large, modern industrial sheds. Due to the industrial function of these buildings, they possessed no historic functional association with the agricultural land that surrounds them. There is a heavily filtered view of the church tower of St. Mary's from very limited points on this ProW, but in no way is this a clear view. Therefore the significance of such views and the contribution of the site to understanding the origins and development of Hawksworth as an agricultural settlement are further limited.



Plate 47: South-west-facing view towards the Hawksworth Conservation Area from the public right of way that runs through the north-west part of the site.

- 10.29. Moving along the ProW westwards, there are glimpsed views of built form along the edges of Hawksworth, however these are not illustrative of the historic core, nor do they illustrate character and appearance of the Conservation Area. The medieval origins of the settlement cannot be appreciated. There are very limited glimpses, more ‘visual suggestions’ of the settlement in the route of the PRoW east of the block of central woodland. Whilst there is some hint of built form in long distance views, this is not clear or distinct in any way. The quality of these views is very low, with no suggestion of the extent of the settlement or its layout.
- 10.30. The southeast part of the lies c. 350m east-south-east of the Hawksworth Conservation Area at its nearest point. This part of the site is located in Thoroton parish, therefore this was no association with Hawksworth settlement historically.
- 10.31. The ability to perceive this part of the site in conjunction with the Conservation Area largely overlaps with the previous assessment of Hawksworth Manor (see Plate 27 & Plate 30 above). In summary, the agricultural land within the southeast part of the site is not readily perceptible from or in conjunction with the Conservation Area because of the distance, the intervening hedgerows and trees, and the rising ground. No panels are visible from within or in conjunction with the Conservation Area, though mitigation planting might be. As discussed this is likely to be indistinguishable from the existing vegetation in this location.
- 10.32. The HCAAMP identifies a significant view looking west towards the Conservation Area from a trackway within the southeast part of the site (this trackway runs parallel with the southern edge of a small pocket of woodland). This is discussed in detail in the section on Hawksworth Manor and Adjoining Pigeoncote above. I note in particular, this is taken from private land. To access this view would require trespass and it originates on land in the parish of Thoroton. The value of this view to the significance of the Conservation Area is not set out within the HCAAMP. There is no evidence of this trackway being a public right of way historically. Ultimately, the main content of this private view will be the agricultural land west of (not within) the site with potential glimpses of built form within the Conservation Area beyond, including Hawksworth Manor, though as pointed out, given the topography if stood where the view originates, it is unlikely that much, if anything of the Conservation Area would be visible. There is no evidence of a historically designed view from this vantage point toward Hawksworth Manor or any other historic building located within the Hawksworth Conservation Area.
- 10.33. Another significant view identified in the HCAAMP and already discussed and illustrated in the previous assessment of St Helena’s Church, Thoroton, is that looking eastwards from the entrance to Top Farm (see Plate 9 above). This is a poor-quality view due to the intervening railings and gates and the south-east part of the site is only vaguely perceptible in terms of affording a distant glimpse of the spire of St Helena’s Church. Ultimately, the vaguely perceptible part of the site and the church are in a different parish and do not contribute to understanding the development of Hawksworth as an agricultural settlement or an appreciation of its immediate agricultural hinterland.
- 10.34. An additional view is identified as significant within the HCAAMP located outside of the Conservation Area boundary at the southern extent, beyond the main settlement core. This view (as marked on the Townscape Appraisal map) is actually from the centre of the road – and Plate 51 is taken from this point. This is a view, therefore, that cannot be experienced for any length of time due to the health and safety risks of standing in the road. The view is

over a 5-bar gate with a tall, mature hedgerow to the left of the viewer and rolling agricultural fields extending across the view. There is a distant and glimpsed view of the spire of the grade I Church of St. Helena within Thoroton. The panels within the Appeal Scheme will not be visible from this location. Mitigation planting along the ridge may be visible however this will likely be indistinguishable from the already established planting and it is noted that the existing hedgerows could be left to grow to any height at any time without any consent required. No elements or built fabric of the historic core of Hawksworth are visible. This is a view of the surrounding agricultural land which will not experience any change from the Appeal scheme.



Plate 48 View from identified significant view in HCAAMP outside CA boundary looking east with spire of St. Helena marked with an arrow. The panels of the Appeal Scheme will not be visible. Mitigation hedgerow planting may be glimpsed along the ridge though this will be difficult to discern from the current hedgerow along this ridge

- 10.35. Overall, the site makes only a very small contribution to the overall significance of the Hawksworth Conservation Area through setting, with this contribution principally deriving from the agricultural land located immediately north-east of the designation boundary due to this being within the same parish and experienced when entering and leaving the settlement via Main Road.



Impact Assessment

- 10.36. There is no statutory protection for the settings of Conservation Areas, rather the 1990 Act confirms that the focus of attention is the intrinsic special architectural and historic interest, or character and appearance.
- 10.37. The proposed development, being located outside the Conservation Area boundary, will have no impact on its intrinsic character or appearance from which the asset derives most of its significance. There will be no change to key sequential views and street scenes within the Conservation Area.
- 10.38. The nearest solar arrays will be positioned c. 150m north-east of the Conservation Area, beyond a buffer of undeveloped agricultural land and behind a new hedgerow which restores an historic field boundary. The site is screened from Main Road by retained and enhanced boundary hedgerow planting. The solar arrays will not be readily perceptible from the private vantage point adjacent to the access road to Laburnum Cottage (identified as a significant view in the HCAAMP) or in public views from the road at the north-easternmost edge of the designation area.
- 10.39. The solar arrays will be readily perceived when travelling along the public footpath through the north-west part of the site, and these will impede current, long-range views of the north-east edge of the Conservation Area. However, as set out above, it is the engineering works that is the dominant built form (which had no historic functional relationship with the agricultural land), the public right of way is not a historic route (see above *passim*), and there were formerly intervening field boundaries that would have prevented such views in the past.
- 10.40. Whilst the scheme would represent a change in the view from the PRoW east of the woodland towards Hawksworth, this would not cause any harm to this view. As stated, this view is so ephemeral and indistinct that it does not contribute to the significance of the Conservation Area.
- 10.41. As per the previous assessment of Hawksworth Manor, the development in the western edge of the south-east part of the site is anticipated to be screened from the eastern edge of the Conservation Area by the rising ground and intervening hedgerows, which will be retained and enhanced. The reciprocal view back towards Hawksworth Manor from the private land at the western edge of the site would not be affected because the arrays would be to the back of the viewer, the topography would make it very difficult indeed to perceive any built form within the Conservation Area and, as set out above, this is private land in any case.
- 10.42. As per the previous assessment of St Helena's Church, the enhancement of boundary planting may reduce the perception of the agricultural land within the south-east part of the site in views out from the southern part of Hawksworth. However, these are incidental views of land that lies in a different parish and is only perceptible insofar as it affords poor-quality, distant glimpses of the church spire.
- 10.43. In summary, when considering the significance of the Hawksworth Conservation Area as whole, the introduction of the solar farm to a small part of the wider setting of the Conservation Area will only result in minor, less than substantial harm to the significance of



the asset through change to its setting. This would equate to harm at the low end of the less than substantial harm spectrum.

- 10.44. This low level of less than substantial harm arises from the change and the slight perception of the panels when entering the Conservation Area from the north. This harm arises specifically from the development within the parish of Hawksworth only. The development within Thoroton is within a different parish and part of a different plot of agricultural land. The harm is from the change in the perception of the agricultural land in the immediate proximity of the Conservation Area which slightly reduces the sense of isolation and the character of this journey and the historic understanding of the agricultural origins of the settlement.
- 10.45. The level of harm is low due to the fact that there are extensive swathes of agricultural land surrounding Hawksworth which will not experience any change from the Appeal Scheme and which contribute to the understanding of the agricultural origins of the settlement. This is not an aspect which will be lost. In addition, the harm has to be considered upon the Conservation Area as a whole and not just upon the aspect affected by the scheme. When this is taken into account, the Appeal scheme will only affect a small portion of the entirety of the surrounding landscape for a temporary period.

Commentary on Conservation Consultation Response

- 10.46. The Conservation consultation response emphasised the importance of open space and intervisibility in terms of understanding the agricultural setting of the Hawksworth Conservation Area:

“The open spaces between the two Conservation Areas and these listed buildings are of particular importance. The open views and intervisibility are fundamental in understanding the parishes associated with the two churches which they overlook, as is the agricultural setting associated with Hawksworth Manor and Hawksworth Place and similarly the gardens and parkland historically associated with Thoroton Hall. Farming informs the origins of several listed buildings across both villages, as well as being a fundamental component of the history of both villages and contributes both to the evolved character of their Conservation Areas and the context in which they sit today.”

- 10.47. I acknowledge the present open aspect of the landscape surrounding Hawksworth, however as stated, this open aspect is a modern construction. Historic mapping has shown that the area used to be sub-divided into a number of smaller fields, with boundaries which would have resulted in a much more enclosed and a smaller grain of landscape. Views within the site would have been much more restricted.
- 10.48. I agree that elements of the agricultural surrounds of the Hawksworth Conservation Area contribute to its significance through setting in terms of giving legibility to the origins of the village as a rural farming settlement; however, this must be considered in line with Historic England’s criteria for assessing the contribution of setting to the significance of

Conservation Areas.²⁰ As noted above, there are few vantage points along the direct approaches to the Hawksworth Conservation Area where the open agricultural land within the site is readily visible due to the mature hedgerows that bound the site.

- 10.49. As with the Thoroton Conservation Area, the Conservation consultee had specific regard to the public rights of way across the site:

“Whilst the site itself contains no structures, it is crossed and bordered closely by a number of public footpaths. These all appear on historic mapping, including Henry Steven’s 1820 Map of Newark on Trent, and may be of ancient origin. These footpaths represent routes linking the two neighbouring settlements and their Conservation Areas and represent approaches to, and routes leading out from, both Conservation Areas. The development would unavoidably have a substantial impact on the experience of approaching either village, or travelling between them, on these well-established routes.

...

The footpath mentioned above is a well established route shown on older OS maps and Henry Steven’s 1820 Map of Newark on Trent and represents a long established link between the two villages and what are now their respective Conservation Areas. At the time of my visit the paths were well trodden and appear well used such that this path does represent a route of approach and departure for both villages (I suspect that as both villages have little in the way of local services but are each served by one, different, bus route each a lot of this foot traffic will be by residents catching busses from either village or visiting friends in the neighbouring village). Along the route there would be an awareness of an expanse of solar panels in the landscape to the north, owing to the fall of the land this would be increasingly apparent nearer to Thoroton. As the land within the site slopes up gently to the north the hedge along the unnamed road would need to grow up quite substantially to hide panels up the slopes in the northern parts of the site, itself limiting appreciation of the agricultural landscape.”

- 10.50. My response to this point is set out above at paragraphs 6.43 – 6.47 and I will not repeat this here for brevity. Points which are specific to the consideration of the Hawksworth Conservation Area are that on the footpath entering and leaving Hawksworth extending from the southeastern corner, there would be no views of the arrays, with the mitigation planting being the only visible element.

- 10.51. The footpath to the north of Hawksworth is a modern construct. Whilst it is the case that Hawksworth was a clear stop off or destination on this route, the settlement cannot clearly be identified when moving towards it on the path. There is some awareness of buildings when approaching but these are of the engineering works and the modern sheds

²⁰ Historic England, *Conservation Area Appraisal, Designation and Management*, paragraphs 58 and 59.



associated with these. There is no clear understanding or visual 'reveal' of a broad vista, or even a clear view of any buildings in the settlement.

- 10.52. The Conservation Officer referred to views of Hawksworth when traversing the PRow across the northern portion of the site as follows:

“Roughly midway between the two villages the right of way passes through a small wooded area, and rather strangely Hawksworth has limited presence in views before this wood and Thoroton has almost no presence in views from the footpath beyond the wood. Again this right of way seems well used, the first field appeared relatively recently ploughed and there was already a clearly trodden route for me to follow.

On emerging from the wood, the landscape in all directions would be dominated by arrays, glimpses of buildings on the fringes of Hawksworth would be adversely affected, some of these include glimpses in the distance of the boundary walls around Hawksworth Place and outbuildings north of Hawksworth Manor (albeit these are largely screened by tree belts and more modern agricultural buildings), indeed owing to the height of panels in proximity to the viewer and Hawksworth being down a gentle slope it is likely that from this position the village would no longer appear in views. Passing further west the tower of the church eventually emerges, again it is seen in winter through the open canopy of trees and I suspect it is less prominent, if visible at all, from this position in summer.”

- 10.53. I agree with the Officer in stating that to the east of the central wooded area, there is very little presence of Hawksworth within views.

- 10.54. The Conservation Officer acknowledges that the views to Hawksworth on the west side of the wooded area are glimpsed and of the fringes. The only elements of built form he mentions are boundary walls of Hawksworth Place and outbuildings north of Hawksworth Manor but even these he caveats by saying are screened by tree belts and modern agricultural buildings. He also mentions the church tower but again, this is heavily caveated and certainly not used as an example of a clear view. There is no mention of a clear view of any built form within the Conservation Area, or indeed any structures at all which would give an indication of the historic core. The Conservation Officer goes on to suggest that the panels would block views of the village – however he has provided no evidence that ‘the village’ in its entirety is visible in this view. The view to fringe elements of the settlement might be disrupted but these do not contribute to the character and appearance of the Conservation Area.

- 10.55. The Conservation Officer goes on to state:

“My view is that there would be an adverse impact on the setting of Hawksworth Conservation Area, primarily from its northern edge where the impact on the rural landscape to the northeast would be transformational in character. The impact on setting to the east from the southeaster limits of the Conservation Area would be lesser for the reasons described previously, however if the panels themselves are not visible to the east then the heightened hedge would limit visibility of



features within neighbouring Thornton (notably the church spire) which serve to highlight the proximity of the two neighbours and contributes to understanding of how Hawksworth sits within a wider landscape.”

- 10.56. I do not dispute that the Appeal scheme would cause a change in the character of fields to the northeast of the Conservation Area and I have assessed harm on the basis of the change perceptible when entering Hawksworth from the north. However, the set back of the panels and the reinstatement of historic field boundaries means that there is sufficient distance from the northern edge of the Conservation Area for the views out, for example from the view identified as a ‘fine’ view in the HCAAMP, to not experience a level of change that harms the contribution this view makes to the Conservation Area.
- 10.57. In response to the points about impacts on setting to the east, the Officer rightly notes that the panels will not be visible. In reference to the comment: *“heightened hedge would limit the visibility of features within neighbouring Thornton (sic) notably the church spire”*, I have set out my response to this point about how these views of the spire from within Hawksworth are incidental, glimpsed and of poor quality. The views of a church in another parish do not add to the understanding of the special character of the Hawksworth Conservation Area, which was its own parish with its own church.
- 10.58. The comment about how this view highlights proximity and understanding of how Hawksworth ‘sits’ in the landscape in my opinion, do not speak to issues of heritage significance. The Conservation Officer does not elaborate on why ‘proximity’ contributes to the significance of the Hawksworth Conservation Area, nor how this illustrates how Hawksworth sits in the landscape – and more to the point why this matters to the special character and interest of the Conservation Area.
- 10.59. The solar arrays would change the character and appearance of the land within the site; however, there is already a limited perception of this land when approaching and leaving the Conservation Area due to the mature intervening and boundary hedgerows that already exist. From most identified vantage points that relate to the Conservation Area, the development would be screened from view or it would be barely perceptible, such that it will not visually dominate.
- 10.60. When considering the heritage significance of the Hawksworth Conservation Area as a whole and the fact that the site makes only a very small contribution to this significance through setting, I do not consider the Conservation consultee’s assertion that the development would cause a moderate level of less than substantial harm to be credible.



11. Archaeology

- 11.1. As discussed above, the Rule 6 SoC has suggested that archaeology be included as a consideration within the Appeal, suggesting this should have formed an additional reason for refusal and the scheme is contrary to policy 29 of LPP2. It is noted here again that the LPA Archaeology Officer did not object to the application, nor did archaeology form part of RfR2.
- 11.2. Paragraph 200 of the NPPF provides that where a development site includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment, and, where necessary, a field evaluation. I highlight here that paragraph 200 places no requirement for archaeological evaluation to take place to support an application. Policy 29 of LPP2 – Development Affecting Archaeological Sites states:
- “1. Where development proposals affect sites of known or potential archaeological interest, an appropriate archaeological assessment and evaluation will be required to be submitted as part of the planning application. Planning permission will not be granted without adequate assessment of the nature, extent and significance of the remains present and the degree to which the proposed development is likely to affect them.”***
- 11.3. I note that whilst this policy states that evaluation will be ‘required’, evaluation covers a very wide range of archaeological techniques – it does not contain any requirement for intrusive trial trenching. It also requires an appropriateness test. The Council agrees that the assessment submitted to date is appropriate and in accordance with Policy 29.
- 11.4. The original application was accompanied by a Cultural Heritage Impact Assessment (CD 1.73) carried out by members of the Chartered Institute for Archaeologists in accordance with the guidance contained in the Code of Conduct and Standards and Guidance for Desk-based Assessment from the Chartered Institute for Archaeologists. That assessment was informed by walkover and geophysical surveys (CD 1.23.8, CD 1.23.9).
- 11.5. Importantly, the Committee Report states in the Historic Environment Section that ‘*the current assessment comprises a proportionate level of information to inform the determination of the planning application.*’ It can be concluded that the assessment submitted to support the application thus conformed to the requirements of Policy 29 of LPP2 and paragraph 200 of NPPF.
- 11.6. The reasons for refusal do not allege any adverse effects on archaeology. At the Case Management Conference on 23 April 2024, the Council confirmed that it had no objection to the proposed development on archaeological grounds, subject to the imposition of conditions which are under discussion between the Council and the Appellant.
- 11.7. The R6 party has raised concerns in respect of archaeological impacts. These concerns appear to have been triggered by a programme of pre-construction trial trenching which the Appellant has commenced on site. Those works have been progressed to avoid any delay to construction works on the site, in the event that permission is granted. The R6 party alleges that absent the results of that trial trenching exercise, the significance of the



archaeological assets within the Appeal site has not been determined and as such it cannot be established whether mitigation put forward would be adequate/appropriate. In suggesting this, the R6 party relies on the High Court's decision in Low Carbon Solar 6 Ltd v Secretary of State for Levelling Up, Housing and Communities [2024] EWHC 770 (Admin) (CD 5.30).

- 11.8. I do not profess any legal expertise, but I am advised that in that case there was a single ground of challenge, specific to that originally being a S62(a) application, which was that the Inspector dealt with the applicant's appeal in a manner that was procedurally unfair because he refused to take account of rebuttal evidence which the appellant had submitted late in the appeal process. That issue does not arise in this case. In the course of his judgment on that issue, I am advised that the Judge made some comments on archaeological impacts which are not binding because they did not form the *ratio* of the decision. In that case, one of the reasons for refusal was that the applicant had failed to provide sufficient information on archaeological assets and in those circumstances, the Inspector considered whether the information which had been provided in that case was reasonable and proportionate.
- 11.9. In the present case, there is no reason for refusal relating to archaeological remains and no outstanding concerns from the Council, subject to the imposition of conditions. The NPPF expressly does not require field evaluations in every case. Rather, it provides that local authorities should require developers to submit an appropriate desk-based assessment and where necessary, a field evaluation. The local authority was satisfied that the Appellant's assessment, which was informed by a walkover and geophysical survey, was appropriate and proportionate in the circumstances of this case, unlike in the Low Carbon Solar case.
- 11.10. While I do not consider that it is necessary to provide the findings of the trial trenching prior to the determination of this appeal, given that trial trenching is underway, I have provided the preliminary findings of that exercise which reveal that the geophysical survey was accurate in locating archaeological features and in the predicted density of such features. Where the geophysical survey showed a lack of features, this was proven to the case when trenches were excavated.
- 11.11. The initial results of the survey are provided as an Appendix to my proof (Appendix 4). They show that, as expected, there is a concentration of late prehistoric and Roman activity within the central portion of site (as indicated by the geophysical survey results). These features contained dating evidence which allowed this activity to be dated to the Roman period. Within the remainder of the site, again, as predicted by the geophysical survey, some areas contained limited archaeology, for example the southwest portion of field 2, however there were a number of trenches which were devoid of any features. There was extensive evidence of furrows and modern agricultural ploughing activity which, in some places, was deep and had truncated archaeological deposits. The fieldwork has shown that the mitigation put forward is appropriate and adequate and further works as required will be secured via condition.



12. Discussion of Planning Policy & Legislation

- 12.1. Within the RBC SoC, it is alleged that that the harm arising from Appeal scheme does not benefit from 'clear and convincing justification' and relates this point to the fact that alternative sites were not considered due to the identification of heritage harm. The discussion on the requirements for alternative sites assessment for heritage reasons is set out above at section 2.23, however for the reasons explained in Mr Cussen's POE, the limited heritage harm arising from the Appeal Scheme does not engage a requirement to consider alternative sites. As to whether there is a clear and convincing justification for allowing the Scheme, this is addressed in Mr Cussen's planning evidence.
- 12.2. Paragraphs 205 and 206 of NPPF require that 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 and goes on to say any harm to, or loss of significance of a designated heritage asset should require clear and convincing justification. It is considered that, as set out at paragraphs 53 of the judgement Pugh v SoSCLG [2015] EWHC 3 (Admin) (extract at CD 5.31), the clear and convincing justification simply means that where there is heritage harm, then the case must be made for permitting the development:

"53. Mr Harwood points out that paragraph 132 uses the phrase "clear and convincing justification." It might be thought difficult to be convincing without being clear, but it seems to me that the author of NPPF is saying no more than that if harm would be caused, then the case must be made for permitting the development in question, and that the sequential test in paragraphs 132-4 sets out how that is to be done. So there must be adherence to the approach set out, which is designed to afford importance in the balance to designated heritage assets according to the degree of harm. If that is done with clarity then the test is passed, and approval following paragraph 134 is justified."

- 12.3. My evidence describes the heritage impacts of the Appeal Scheme and Mr Cussen's evidence addresses the reasons justifying the grant of permission. It is noted that the paragraphs of NPPF referred to by Gilbert, J, and in their December 2023 counterparts, there is no requirement for alternative sites to be considered if harm is found to heritage assets.
- 12.4. As less than substantial harm has been found to five designated heritage assets, it is useful to the decision-maker to consider the level of weight the identified harm should be given within the planning balance. As the scheme will cause harm to the significance of listed buildings through changes to setting, S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is engaged which requires a decision-maker to have special regard the desirability of preserving the building or its setting. This has been interpreted through case law as requiring a decision-maker to give considerable weight to such harm within the planning balance.
- 12.5. In terms of how much weight within the 'considerable weight' bracket should be considered, I consider that it may be useful to consider the wording within the judgement of Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061 (CD 5.23) at paragraphs 5 and 34 (quoting from paragraph 61 of the previous judgment):



“5....this does not mean that the weight that the decision maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question.

...

34....The duty to accord ‘considerable weight’ to the desirability of avoiding harm does not mean that any harm, however slight, must outweigh any benefit, however great, or that all harms must be treated as having equal weight.”

- 12.6. Public benefits arising from the scheme are set out in the evidence of Mr. Cussen.
- 12.7. It is the case that this scheme does not meet the threshold of Nationally Significant Infrastructure project, however the scheme, at 49.9MW falls just below the threshold and as set out in the evidence of Mr. Cussen, the National Policy Statements for energy (November 2023 adopted in January 2024) are material considerations in planning applications under the Town and Country Planning Act 1990.
- 12.8. NPS-EN1 – Overarching NPS for Energy (CD 3.3) and NPS EN-3 – renewable energy generation (CD 3.4) contain guidance relating to the consideration of the historic environment with regards to solar development. Within NPS EN-1, of particular relevance to this Appeal is the establishment of the Critical National Priority (CNP) for the provision of low carbon infrastructure (ie solar generation schemes). This sets out at paragraphs 4.2.15 – 4.2.17 that as a CNP project, the presumption is that where any impacts remain after mitigation, the starting point for decision-making is that CNP infrastructure has already met any tests set out within the NPSs, or any other planning policy, which requires ‘a clear outweighing of harm’ (paragraph 4.2.16).
- 12.9. Within NPS EN-3, paragraphs 2.10.151 and 2.10.160 are of relevance to this Appeal. These state:

“2.10.151 – The Secretary of State should consider the period of time the applicant is seeking to operate the generating station as well as the extent to which the site will return to its original state when assessing impacts such as landscape and visual effects and potential effects on the settings of heritage assets and nationally designated landscapes.

2.10.160 – Solar farms are generally consented on the basis that they will be time-limited in operation. The Secretary of State should therefore consider the length of time for which consent is sought when considering the impacts of any indirect effect on the historic environment, such as effects on the setting of designated heritage assets.”



13. Conclusions

- 13.1. My evidence has provided a detailed, objective assessment of the identified heritage assets. A summary of my position with regards to the five key issues identified at the start of my evidence is provided below.
- 13.2. The table does not include the details of the impact assessment carried out for each asset, but this can be found on the text above.
- 13.3. My evidence has demonstrated that the Appeal scheme would result in less than substantial harm within the lowermost to low end of the scale for three designated heritage assets: the Grade I Church of St. Helena, Thoroton Conservation Area and the Hawksworth Conservation Area through changes to setting which contribution to significance. No harm has been identified to three further assets: Grade II* Church of St. Mary and All Saints, Grade II Hawksworth Manor and adjoining Pigeoncote and Grade II Model Farm buildings at Top Farm.
- 13.4. The less than substantial harm at the lower end of the scale to the Grade I listed Church of St. Helena arises from the view of the Appeal scheme in a view available of the spire only of the Church of St. Helena when traversing the PRoW across the northeastern portion of the site. The Appeal scheme would introduce modern energy development in the distant foreground of incidental views towards the spire along a path whose destination is not Thoroton or the church itself and a view which requires the observer to look away from the pathway. This will cause a temporary change in a peripheral view of the spire which already contains pylons and overhead lines. The Appeal scheme would not cause any change in the amount of fabric of the spire that is visible – the amount of spire in the view today will be retained with the scheme in place.
- 13.5. The less than substantial harm at the lowermost end of the scale to the significance of the Thoroton Conservation Area arises from a slight change in character to a part of the wider setting which makes a very small contribution to the significance of the asset through the historic association of being agricultural land within the same parish. The harm is also derived from the slight change in view of the Church of St. Helena, which marks the core of the historic settlement of Thoroton.
- 13.6. The less than substantial harm at the low end of the scale to the significance of the Hawksworth Conservation Area derives from the change in character of the site and slight perception of the panels when entering the Conservation Area from the north. This harm arises specifically from the development within the parish of Hawksworth only. The development within Thoroton is within a different parish and part of a different plot of agricultural land. The harm is from the change in the perception of the agricultural land in the immediate proximity of the Conservation Area which slightly reduces the sense of isolation and the character of this journey and the historic understanding of the agricultural origins of the settlement.
- 13.7. Where less than substantial harm has been identified, this will occur within the operational period of the Appeal scheme, a period of 30 years following which the panels will be removed and the identified harm will be entirely reversed.



- 13.8. The Appeal scheme is considered to conform to Policy 11 of LPP1 and Policy 16 and 28 of LPP2, though I defer to the evidence of Mr. Cussen on matters relating to policy compliance.
- 13.9. The identified less than substantial harm at the lowermost to low and of the scale to three asset should be considered against paragraph 208 of NPPF which requires harm to be weighed against the public benefits of the proposal. Heritage benefits of the proposal include the reinstatement of historic field boundaries within the site.



Conclusion table for each asset considered within my evidence

	What is the significance?	What is the setting of the asset and what contribution does it make to significance?	Whether the Appeal Site forms part of the setting of these assets which contributes to their significance?	Whether the significance of any of these assets would be harmed by the Appeal Scheme and if so, to what extent?	Whether the proposed mitigation planting is harmful to the significance of any of these assets?
Hawksworth Conservation Area	The significance is principally derived from the intrinsic elements of its character and appearance (which contribute to the special architectural and historic interest of the area and are the reasons for which it was designated. Important elements of the asset's character and appearance include the layout of the village, the traditional built form, boundary	<ul style="list-style-type: none">• Immediate elements of agricultural landscape which are most readily experienced in conjunction with the historic built core – gives legibility to the origins of development as an agricultural settlement.	Very small contribution to significance through setting with this deriving principally from the agricultural land located immediately northeast of the designation due to this being in the same parish and giving some legibility to the understanding of the	Less than substantial harm at the low end of the scale.	The proposed mitigation planting would not cause any harm to the significance of this asset through changes to setting.



	<p>treatments, mature vegetation, and green spaces.</p> <p>The HCAAMP summarises the special interest as:</p> <p><i>“C18th and 19th Red brick and pantile roof buildings throughout the village.</i></p> <p><i>19th century W.B. Stubbs Engineering Works in the north of the village.</i></p> <p><i>Norman church with 19th century brick tower.</i></p> <p><i>Brick and stone walls define property boundaries along the highways.</i></p> <p><i>Verges on entrances to and throughout the village, well maintained by village residents. Extensive daffodil displays along village verges.</i></p> <p><i>Grass triangle at the top of Town Street with “Geoffrey’s Tree” a focal point for meetings and social visits.</i></p>		<p>historic agricultural origins of the settlement and experienced when entering and leaving the settlement via Main Road.</p>		
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	<i>Good network of footpaths, bridle tracks and country lanes offering beautiful views of the village and countryside."</i>				
Thoroton Conservation Area	<p>The significance is principally derived from the intrinsic elements of its character and appearance (which contribute to the special architectural and historic interest of the area and are the reasons for which it was designated. Important elements of the asset's character and appearance include the layout of the village, the traditional built form, boundary treatments, mature vegetation, and green spaces.</p> <p>TCAAMP summarises special interest as:</p> <p><i>"C18th and C19th Red brick buildings throughout the village.</i></p> <p><i>The C14th Pigeoncote restored C19th Mud walls near St Helenas Church, Smite Farm, and the Pigeoncote</i></p>	<ul style="list-style-type: none"> • River Smite; • Immediate elements of agricultural landscape which are most readily experienced in conjunction with the historic built core – gives legibility to the origins of development as an agricultural settlement. 	<p>Very small contribution to significance through setting due to historic association (agricultural land partly within same parish) and ability to experience this land in conjunction with the historic settlement core in views (mostly incidental and poor quality)</p>	<p>Less than substantial harm at the lowermost end of the scale</p>	<p>The proposed mitigation planting would not cause any harm to the significance of this asset through changes to setting.</p>



	<p><i>The grass verges, mature trees and fields all contribute to the rural character.</i></p> <p><i>Good network of footpaths, bridle tracks and country lanes offering beautiful views of the village and countryside."</i></p>				
<p>GI Church of St. Helena</p>	<p>Primarily embodied within the physical fabric from which it derives architectural historic and artistic interest.</p> <p>Historic and architectural interest as a parish church of multiple phases with associations with notable individual also deriving significance as a still functioning place of worship.</p> <p>Architectural and artistic interest derived from surviving historic fabric and fixtures and fittings.</p> <p>Archaeological interest due to potential 11th century origins.</p>	<ul style="list-style-type: none"> • Churchyard – facilitates the best views & ecclesiastical function; • Historic elements of Thoroton which the church was designed to serve and continues to serve (historic interest) and from which there are select glimpses of the church, particularly the spire; • Elements of the surrounding agricultural landscape where it can be demonstrated these elements form the context of key views of the church spire and make a meaningful contribution to the understanding of the church's location in an historic farming settlement 	<p>No perception of Site from within the immediate setting of church or of the Site in conjunction with the church from the historic core of Thoroton.</p> <p>Spire and Site are co-visible in selected points on the PRow in the northeastern part of the Site and on approach towards Thoroton from the north.</p> <p>Site makes a small contribution through setting.</p>	<p>Less than substantial harm at the lower end of the scale</p>	<p>The proposed mitigation planting would not cause any harm to the significance of this asset through changes to setting.</p>



Gil* Church of St. Mary and All Saints	<p>Primarily embodied in its physical fabric which displays its historic, architectural and artistic interests.</p> <p>Historic interest from its forms and early phases as a parish church and associations with D'Aincourt family. It has significance as an active place of worship.</p> <p>Architectural and artistic interest through the historic fabric, fixtures and fittings.</p> <p>Archaeological and historic interest through the Anglo-Saxon origins and re-sited tympanum</p>	<ul style="list-style-type: none">• Its churchyard, which illustrates the ecclesiastical function of the building and the provision of burial (historic interest) and also facilitates the best views of the building from which the historic, architectural and artistic interests of its external fabric can be most readily appreciated.• The junction of Main Road and Tower Street, from which there are important public views of the church in which its architectural and artistic interest can be appreciated, and which illustrate how the church was the focal point of the medieval settlement (historic interest).• The neighbouring former rectory, with which it possesses group value.• Other historic elements of Hawksworth settlement which the church was designed to serve and continues to serve (historic interest) and from which there are select glimpses	Appeal site makes small contribution through location within the same parish – the historic association.	The Appeal scheme would not result in any harm to the significance of this asset.	The proposed mitigation planting would not cause any harm to the significance of this asset through changes to setting.
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		<p>of the church, especially its tower.</p> <ul style="list-style-type: none">To a lesser extent, elements of the surrounding agricultural landscape within the parish where it can be demonstrated these elements form the content of key views of the church tower and make a meaningful contribution to the understanding of the church's location within a historic farming settlement.			
Gil Hawksworth Manor & Pigeoncote	<p>Principally embodied in its physical fabric which displays its historic, architectural and artistic interest.</p> <p>Historic interest is derived from the general age and form of the building and its legibility as a 17th century manor house with a near contemporary pigeoncote – this has been altered to meet modern needs.</p> <p>Architectural and artistic interest is embodied by the historic fabric and fixtures and</p>	<ul style="list-style-type: none">Its gardens, which illustrate the long-established domestic function of the property (historic interest) and provide the best views in which the architectural interest of the asset's external fabric can be appreciated;The driveway, which provides the primary approach to the asset (currently and historically) and affords other important views of the external fabric, namely the western front of the	<p>The Appeal site makes no contribution to the significance.</p>	<p>The Appeal scheme would not result in any harm to the significance of this asset.</p>	<p>The proposed mitigation planting would not cause any harm to the significance of this asset through changes to setting.</p>



	fittings as well as the architectural detailing.	<p>house (historic and architectural interest);</p> <ul style="list-style-type: none">• The historic settlement of Hawksworth to the west which the asset forms part of and to which it was closely connected historically, being the manorial residence; and• The agricultural surrounds where these can be readily experienced in conjunction with the asset (e.g. in views out from the western elevation of the house), are likely to have been historically associated in terms of landownership, and illustrate the rural setting of the asset.			
Gil Model Farm Buildings at Top Farm	Principally embodied by the physical fabric which demonstrates its historic, architectural and artistic interest. Historic interest derived from form and character and legibility as a former model farm. Architectural and artistic interest embodied by earliest fabric and decorative features	<ul style="list-style-type: none">• The historic boundary walls give legibility to the original extent and subdivision of the farm complex (historic interest) as well as possessing architectural interest in their own right.• Other residual elements of the historic farm complex, such as the access points from the north and north-west, also	The Appeal site makes no contribution to the significance.	The Appeal scheme would not result in any harm to the significance of this asset.	The proposed mitigation planting would not cause any harm to the significance of this asset.



	<p>in particular the tower which has architectural sophistication</p>	<p>contribute in terms of understanding the historic experience of the complex.</p> <ul style="list-style-type: none">• The most immediate historic elements of the settlement, especially Town Street and its associated buildings, contribute in terms of understanding the intended location of the farm complex on the southern side of the village and the historic intent for the asset's built form to be admired from these main thoroughfares.• Whilst the extent of the historically associated landholdings is unknown, these landholdings were likely located within the same parish and probably included the agricultural land to the south. This agricultural land to the south makes some contribution in terms of giving legibility to the immediate agricultural hinterland of the asset and its position on the southern edge of the settlement, especially in			
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		the views from the public right of way to the south.			
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Appendix 1: List of all heritage assets discussed in Neo Environmental Cultural Heritage Impact Assessment



List of Heritage Assets considered within the Neo Environmental Cultural Heritage Impact assessment (CD 1.23)

Hawksworth

- Hawksworth Conservation Area
- Grade II Listed Hawksworth Manor and Adjoining Pigeoncote
- Grade II Listed Hawksworth Place and Adjoining Garden Walls.
- Grade II* Listed Church of St Mary and All Saints.
- Grade II Listed Model Farm Buildings at Top Farm.
- Grade II Listed Boundary Walls at Top Farm.
- Grade II Listed Yew Tree Farmhouse and Adjoining Garden Wall.

Thoroton

- Thoroton Conservation Area.
- Grade I Listed Church of St Helena.
- Grade II Listed Manor Farmhouse.
- Grade II Listed Stable, Coach House, Blacksmith's Forge and Adjoining Wall
- Grade II Listed Thoroton Hall.
- Grade II Listed Thoroton Pigeoncote

Shelton

- Grade II Listed The Manor House and Adjoining Courtyard Wall –
- Grade II Listed Boundary Wall, Gate and Railing at The Manor House (Grade II)
- Grade II Listed Water Pump 12 Metres West of Manor Farmhouse (Grade II) .
- Grade II Listed Manor Farmhouse with Adjoining Barn and Stable (Grade II)
- Grade II Listed Ice House at Manor Farmhouse (Grade II).
- Grade II Listed Shelton Hall and Adjoining Dwellings the Stables 1 and 2 and the Ostlers (Grade II)
- Grade II Listed Boundary Wall at Church of St Mary
- Grade II* Listed Church of St Mary.

Sibthorpe



- Grade I Listed Pigeoncote
- Grade I Listed Church of St Peter .

Scarrington House

- Grade II Listed Scarrington House and Adjoining Farm Buildings with Boundary Wall and Pump.
- Grade II Listed Pigeoncote at Scarrington House .
- Grade II Listed Pair of Garden Pavilions at Scarrington House .

Flawborough

- Grade II Listed Church of St Peter.
- Grade II Listed Pair of Headstones 10 Metres South of Nave East End at Church of St Peter.
- Grade II Listed Pair of Headstones 10 Metres South of Chancel of Church of St Peter.
- Grade II Listed Pair of Headstones 7 Metres South of Chancel at Church of St Peter.

Orston

- Orston Conservation Area.

Scheduled Monuments

- Scheduled Medieval Village including Monastic College, Chapel, Moat, Fishponds, Dovecote and Open Field System 200m South of Manor Farm.
- Scheduled Two Moats and Five Fishponds at Top Green.
- Scheduled Dovecote 240m east of Home Farm.
- Scheduled Kilvington Medieval Settlement and Part of an Open Field System, 400m southwest of Staunton Hall.
- Scheduled Minor Romano-British Villa, Moat and associated Medieval Manorial and Village Earthworks, including Six Fishponds.
- Scheduled Timber Circle 430m northeast of Stoke Fields Farm.

Registered Parks and Gardens

- Grade II Registered Flintham Hall Park and Garden

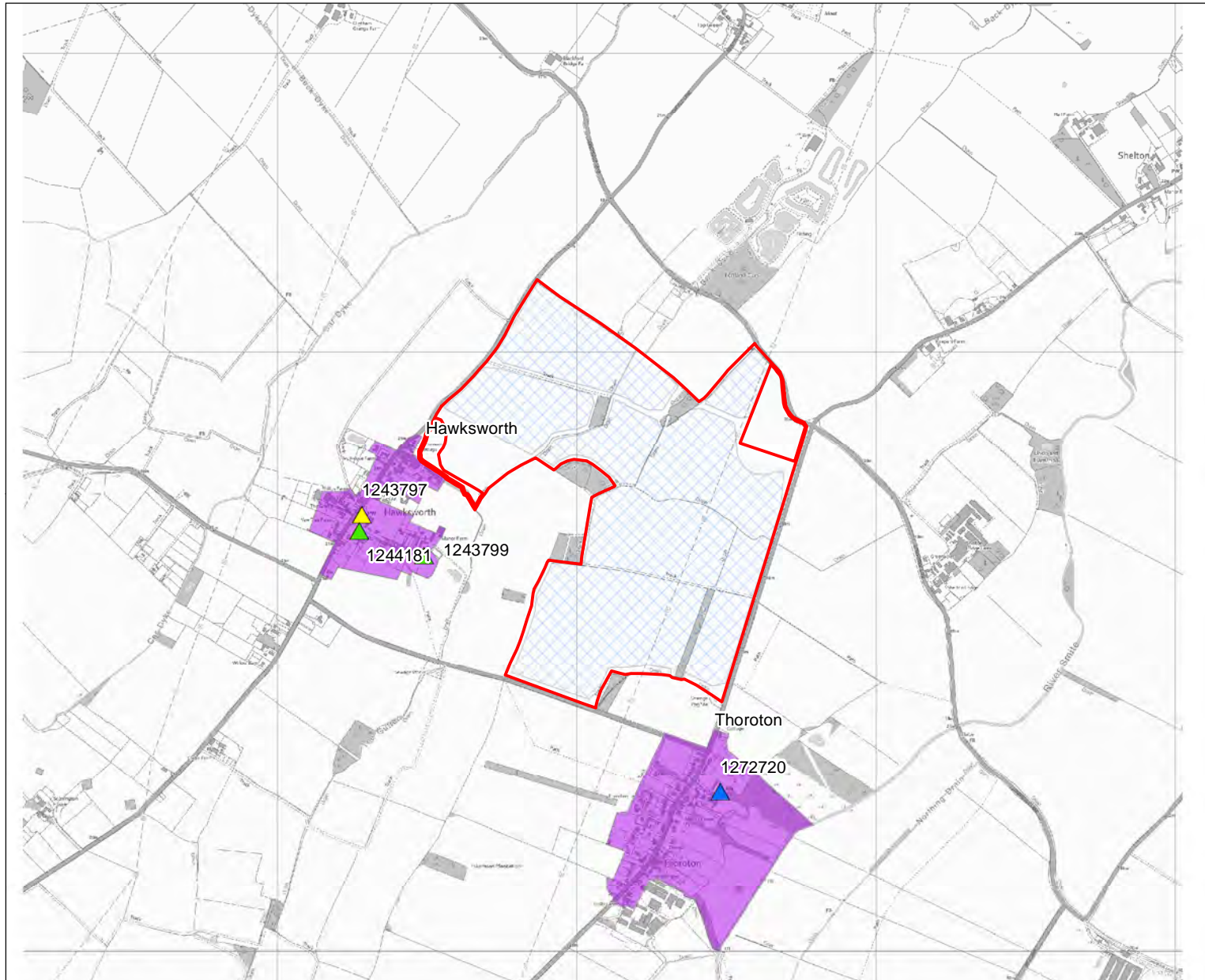


Registered Battlefields







- Registered Battlefield of the Battle of Stoke.



Appendix 2: Heritage Asset Figure



KEY

-  Site
-  Extent of Solar Panels
-  Grade I Listed Building
-  Grade II* Listed Building
-  Grade II Listed Building
-  Conservation Area

Revisions:
First Issue- 01/05/2024 DS

Figure 1: Key Heritage Assets

Longhedge Solar Farm

Client: RES Ltd

DRWG No: P24-0105_1

REV: 1

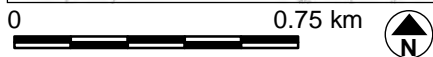
Drawn by: DS

Approved by: -

Date: 01/05/2024



Scale: 1:20,000 @ A4





Appendix 3: NHLE List Entries for listed buildings

CHURCH OF ST HELENA

Official list entry

Heritage Category: **Listed Building**

Grade: **I**

List Entry Number: **1272720**

Date first listed: **01-Dec-1965**

Date of most recent amendment: **14-Nov-1986**

List Entry Name: **CHURCH OF ST HELENA**

Statutory Address 1: **CHURCH OF ST HELENA, CHURCH LANE**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it (whether inside or outside) as well as any object or structure within the curtilage of the building.

For these purposes, to be included within the curtilage of the building, the object or structure must have formed part of the land since before 1st July 1948.

[Understanding list entries \(https://historicengland.org.uk/listing/the-list/understanding-list-entries/\)](https://historicengland.org.uk/listing/the-list/understanding-list-entries/)

[Corrections and minor amendments \(https://historicengland.org.uk/listing/the-list/minor-amendments/\)](https://historicengland.org.uk/listing/the-list/minor-amendments/)

Location

Statutory Address: **CHURCH OF ST HELENA, CHURCH LANE**

The building or site itself may lie within the boundary of more than one authority.

County: **Nottinghamshire**

District: **Rushcliffe (District Authority)**

Parish: **Thoroton**

National Grid Reference: **SK 76482 42531**

Details

THOROTON CHURCH LANE SK 74 SE 5/152 Church of St. Helena. (Formerly listed as Church of 1.12.65 St. Helen)

G.V. I

Parish church. C11, C12, C13, C14; restored, chancel rebuilt, re-roofed and re-seated by J. H. Hakewill, 1869.

Coursed and random rubble, dressed stone and ashlar. Ashlar dressings. Lean-to and gabled plain tile roofs with coped gables and crosses. External stone gable stack to north. West tower, nave, north and south aisles, vestry, chancel, south porch. West tower, C14, 3 stages, has chamfered and moulded plinth, 2 string courses, restored corbel table with masks and 4 gargoyles. Quatrefoil pierced balustrade. Setback octagonal spire with 3 tiers of gabled lucarnes with crosses and cusped double lancets. Above, weathercock. To west, 2 pairs of corner buttresses, 3 setoffs. North east and south east corners have each a small buttress. South east corner has 2 stage canted stair turret with slab roof. 3 stair lights. First stage has to south, a lancet. To west, large cusped crocketed ogee headed niche with finial, flanked by a pair of mutilated angels in moulded panels. Above, gabled hood mould with finial. Niche contains octagonal tripartite bracket. Second stage has to south, cusped ogee headed lancet. Third stage has 4 double lancets with ogee reticulation, hood moulds and mask stops. Nave clerestory has on each side 3 C19 quatrefoil windows. North aisle, 3 bays, has chamfered plinth, band, and eaves. West end has cusped ogee headed single lancet. North side has 3 C19 cusped triple lancets with chamfered and rebated four centred arched reveals. Single bay vestry, mid C19, has chamfered string course. North side has cusped ogee lancet. East end has re-set C11 splayed lancet with hood mould. Above it, fragment of C11 arch with cable moulding. Chancel, 2 bays, has chamfered string course and east end has sill band and pair of flanking buttresses. Early C14 style triple lancet with moulded surround. South side has stepped sill band. To west, single and to east, double C14 style lancets. All windows have hood moulds with uncarved stops. South aisle, 3 bays, C15. Moulded string course and parapet. A corner buttress at each end. Rendered plinth at west end. South side has 2 C15 triple

lancets with ogee reticulation and hood moulds. South porch, C19, has string course, chamfered eaves, and pair of flanking buttresses. Roll moulded doorway with hood mould and uncarved stops. Principal rafter roof with collars. Chamfered and pointed inner doorway with late C18 Gothic panelled door. North arcade, C13, restored, 3 bays, has 2 round piers and responds. Moulded round bases and capitals. Double chamfered and rebated arches with remains of scrolled impost. Hood mould with uncarved stops. Late C13 south arcade, 3 bays, has 2 octagonal piers and responds. Moulded octagonal bases and capitals. East respond has nailhead band. Double chamfered and rebated arches with hood moulds. King post roof with curved struts and arch braces. Tower arch, C14, double chamfered and rebated, has hood mould and mask stops. Tower chamber has no architectural features. North aisle has plain lean-to roof. West end window has stained glass, 1868. South aisle has similar roof. Easternmost window has stained glass, c.1909. Chancel arch, 1868, chamfered and rebated, with uncarved impost. Chancel has to north, pointed opening to vestry and chapel with oak screen in C15 style, 1937. East end has sill band and moulded window reveal with shafts. Stained glass signed "Lavers, Barraud and West lake, London, 1869". South side has to east, corner piscina in C13 style, moulded pointed openings, round shafts and hood moulds. To its right, window seat. 2 windows with stained glass, 1869, signed "Lavers, Barraud and Westlake". Plain arch braced principal rafter roof. Vestry converted to chapel has moulded square opening in east wall. Lean-to roof. Fittings include plain chamfered round font with C14 base, restored. Choir stalls, clergy desks, altar rail, square pulpit, oak, 1937. Matchboard benches, 1869. 6 early C19 benches with ogee ends and fleur de lys finials. C19 wood lectern. Small late C17 table, with splayed turned legs and chip carving. Monuments include slate tablet with Latin inscription to Gulielmi Barrett, 1760. Panelled marble war memorial tablet with arched head containing wreath, 1919.

Listing NGR: SK7648142531

This List entry has been amended to add the source for War Memorials Register. This source was not used in the compilation of this List entry but is added here as a guide for further reading, 24 January 2017.

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: **448178**

Legacy System: **LBS**

Sources

Websites

War Memorials Register, accessed 24 January 2017 from

<http://www.iwm.org.uk/memorials/item/memorial/27303>

(<http://www.iwm.org.uk/memorials/item/memorial/27303>)

Legal

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CHURCH OF ST MARY AND ALL SAINTS

Official list entry

Heritage Category: **Listed Building**

Grade: **II***

List Entry Number: **1243797**

Date first listed: **01-Dec-1965**

List Entry Name: **CHURCH OF ST MARY AND ALL SAINTS**

Statutory Address 1: **CHURCH OF ST MARY AND ALL SAINTS, MAIN STREET**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it (whether inside or outside) as well as any object or structure within the curtilage of the building.

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[Understanding list entries \(https://historicengland.org.uk/listing/the-list/understanding-list-entries/\)](https://historicengland.org.uk/listing/the-list/understanding-list-entries/)

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Location

Statutory Address: **CHURCH OF ST MARY AND ALL SAINTS, MAIN STREET**

The building or site itself may lie within the boundary of more than one authority.

County: **Nottinghamshire**

District: **Rushcliffe (District Authority)**

Parish: **Hawskworth**

National Grid Reference: **SK 75283 43457**

Details

HAWKSWORTH MAIN STREET SK 74 SE (south east side) 5/102 Church of St. Mary and All Saints 1.12.65

G.V. II*

Parish church. Tower C13 and late C17. Nave rebuilt 1812. North aisle 1837. Chancel rebuilt 1851 by Rev. G. H. Smyttan. Coursed and squared rubble and brick, dressed stone. Ashlar dressings. Slate roofs. West tower, nave, north aisle, chancel, combined vestry and organ chamber. West tower. 2 stages. Coursed rubble, ashlar and brick. Chamfered eaves band and crenellated parapet. To west, 2 pairs corner buttresses, 4 setoffs. To east, 2 buttresses, 6 setoffs. First stage has to south, a chamfered lancet. To west, restored C13 door with filleted shafts and roll moulding, round bases and capitals and hood mould. Second stage has to south, re-set C11 tympanum showing Adoration of the Cross, with inscription "Gauterus et uxor eius Cecilina fecerunt facere ecclesiam istam in (h)onore ori uri et sce. Marie Virginis et omnium scorum dei simul." Above, chamfered and rebated C17 bell opening and clock, 1873. North side has similar opening and clock. West side has chamfered double lancet with Y tracery. Above, east and west sides have each a double lancet bell opening. Nave, 2 bays, has moulded coped parapet and east gable. To south, 3 re-set C14 gargoyles. South side has 2 lancets with Y tracery. North aisle, 3 bays, has textured quoins, moulded eaves band and coped parapet. West end has chamfered lancet with hood mould and stops. North side has 2 double lancets with Y tracery and Tudor arched reveals, and to right, door with similar head. All have hood moulds and mask stops. Chancel, 2 bays, has chamfered plinth and coped east gable with kneelers and cross. East end has 2 pairs of corner buttresses, single setoff, and sill band. C14 style triple lancet with Decorated tracery, hood mould and mask stops. South side has partial sill band with mask stop. Off-centre pointed priest's door with head inscribed '1851'. To left, single lancet and to right, similar triple lancet, both with trefoil heads. Lean-to vestry and organ chamber, single bay, has a coped gable. North side has a C13 style doorway. East end has re-set restored C13 chamfered lancet with hood mould. Tower chamber forming west

porch has west window with C19 patterned stained glass. North wall has 6 bay C19 arcaded panel with clustered shafts, inscribed with the Beatitudes. Tower arch, C13, restored, has cove moulding and rectangular responds. Chamfered capitals with rebated corners. Nave north arcade, 3 bays, has 2 round piers with matching responds, with octagonal plinths and moulded bases. C19 Romanesque style capitals with waterleaf, cable moulding and strapwork. Arches, C13, restored, double chamfered and rebated, have hood moulds with nailhead and mask stops. South side east window has patterned stained glass. Roof, C15, restored, with chamfered timbers. 7 wooden corbels, some with moulded ends. Double ridge piece to west, single to east. North aisle has lean-to roof restored C20. Chancel arch, C13, restored, has double chamfer and rebate. Matching responds with simply moulded capitals and bases. Chancel has chamfered and moulded openings with painted decoration and texts around heads. North side has to west, Tudor arched opening to organ chamber and to its right, door and double aumbry with roll moulding and trefoil heads. East end has inscribed marble curb on windowsill and window with stained glass by Wailes, 1851. South side has to east, chamfered trefoil headed piscina and to west, doorway flanked by single lancets with C19 patterned stained glass. Arch-braced principal rafter roof with collars. Moulded corbels and wall plate have painted texts. Fittings include font, C14 with octagonal stem and water holding base and C19 octagonal bowl with dogtooth band. Mid C19 brass lectern. Late C19 traceried panelled stalls and desks with shaped ends and arm rests. Linked chairs. C19 poor box on C12 chamfered and moulded wooden stem. Moulded altar rail on foliate iron stems. 12 foliate iron wall sconces, 2 mid C19 brass and sheet metal chandeliers, 2 foliate candle brackets. Memorials include large section of Anglo-Saxon cross shaft with incised decoration. C19 painted stone tablets with Creed and Lord's Prayer. 3 marble tablets, early C19. Small brass, probably C18. Marble war memorial tablet c.1920. Memorial inscriptions on chancel walls, 1700, 1878, 1906.

Listing NGR: SK7528343457

This List entry has been amended to add the source for War Memorials Register. This source was not used in the compilation of this List entry but is added here as a guide for further reading, 30 October 2017.

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: **448128**

Legacy System: **LBS**

Sources

Websites

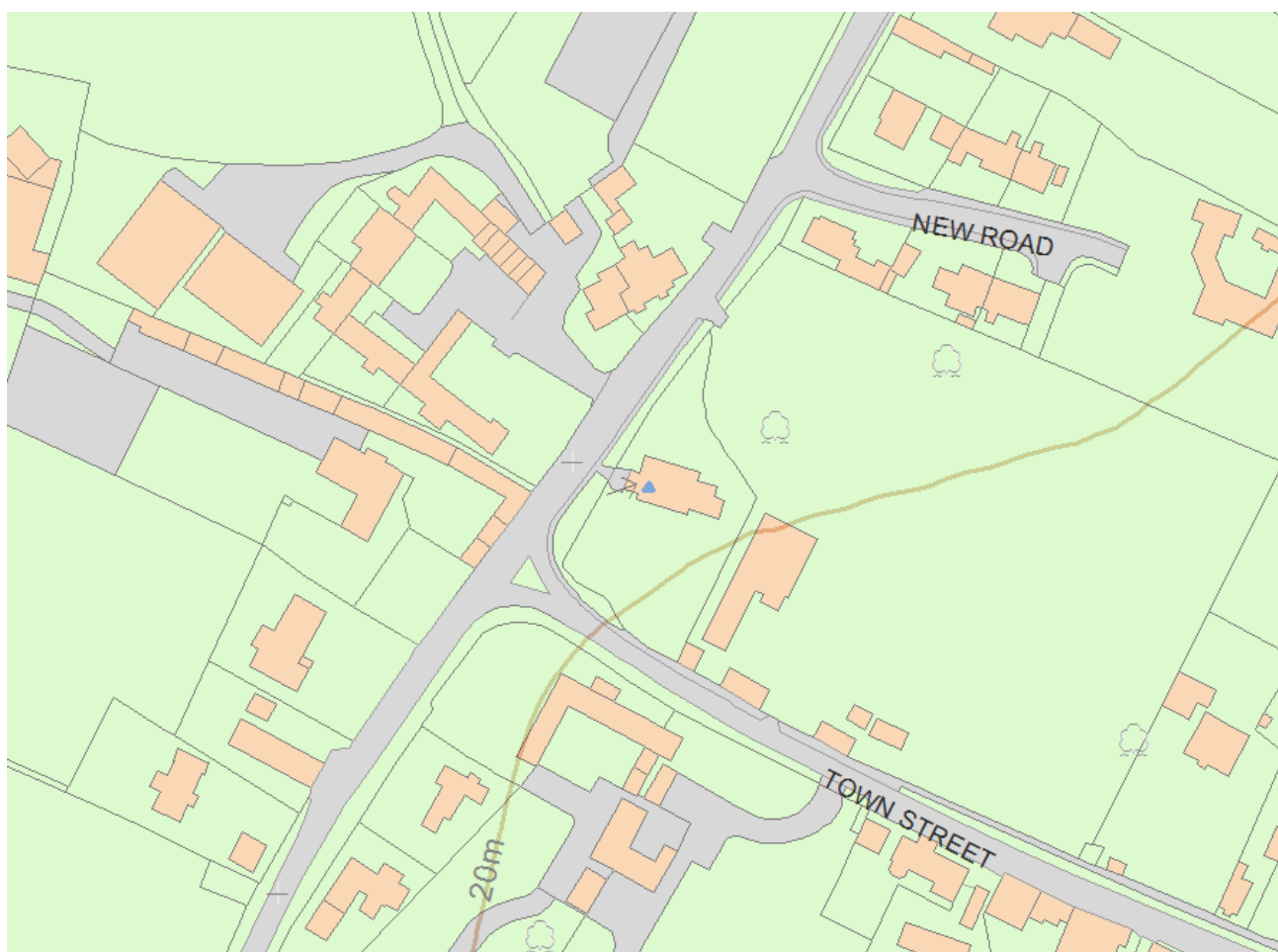
War Memorials Register, accessed 30 October 2017 from

<http://www.iwm.org.uk/memorials/item/memorial/27220>

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Legal

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HAWKSWORTH MANOR AND ADJOINING PIGEONCOTE

Official list entry

Heritage Category: **Listed Building**

Grade: **II**

List Entry Number: **1243799**

Date first listed: **15-Jun-1986**

List Entry Name: **HAWKSWORTH MANOR AND ADJOINING PIGEONCOTE**

Statutory Address 1: **HAWKSWORTH MANOR AND ADJOINING PIGEONCOTE, TOWN STREET**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it (whether inside or outside) as well as any object or structure within the curtilage of the building.

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Corrections and minor amendments (<https://historicengland.org.uk/listing/the-list/minor-amendments/>)

Location

Statutory Address: **HAWKSWORTH MANOR AND ADJOINING PIGEONCOTE, TOWN STREET**

The building or site itself may lie within the boundary of more than one authority.

County: **Nottinghamshire**

District: **Rushcliffe (District Authority)**

Parish: **Hawksworth**

National Grid Reference: **SK 75491 43320**

Details

HAWKSWORTH TOWN STREET SK 74 SE 5/106 Hawksworth Manor and 16.6.86 adjoining pigeoncote

G.V. II

Manor house. Mid C17. Extended, raised and refenestrated mid and late C19. 2 storey rear wing in matching style, 1910. By B. Bradwell. Pigeoncote 1665. Coursed rubble and brick with steep pitched gabled and pyramidal plain tile roofs. Rubble plinth. Stone dressings. 2 gable and 2 ridge stacks, with grouped octagonal shafts. 2 storeys plus garrets, 5 unequal bays. L- plan. Windows are mid C19 iron casements with lozenge glazing bars. North west front has off-centre 2 storey mid C19 porch with chamfered plinth and bargeboarded gable. Central door. To left, 3 and to right, 2 casements. Above, 5 casements. Porch return angle has a casement on each floor. West gable has a blocked opening on each floor and above again, Yorkshire sash to garret. Garden front has off-centre door with stair light above it, flanked to left by 2 and to right by single casements. Above, 3 casements. Above again, 2 gabled dormers with casements. Return angle has square parapeted porch, 1910, with half-glazed door. Rear wing has on garden side, 3 casements on each floor, those above with cross-eaves cornices. Gable has 2 casements on each floor. North east side has, above, 2 casements similar to garden side. Mid C19 brick service wing to north east, 2 bays, has dentillated eaves and single ridge stack. 4 C20 casements. To right door with segmental head, and square hatch. Pigeoncote, 2 storeys, square plan, has string course. Front has altered opening with segmental head, containing 2 stable doors with segmental heads. Above, datestone inscribed "SNG / IVLY S5.1665". Above again, 2 stage square timber Glover with pyramidal lead roof and finial. Rear has, above, opening with 4 square timber pigeonholes. Adjoining C19 stable,

to right, has on south west side, to right, a pair of sliding doors. Single stable door in north west gable. House has principal rafter roof with butt purlins and collars. 3 flight dogleg stair with landings. C18, with square newels and stick balusters. Ground floor stage altered c.1944. C17 Renaissance revival fireplace with fluted frieze and scroll brackets, with C19 pilasters and mantel shelf. Mid C19 tiles and crane. Large pilastered marble and timber fireplace with Adam style ornament and bow fronted grate, mid C19. From Clumber Park. Early C19 hob grate with mid C19 Adam style timber surround. 2 C18 panelled doors and 2 C18 fitted cupboards. 14 C19 plank doors, 2 with wooden latches.

Listing NGR: SK7549143320

Legacy

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Legacy System number: **448132**

Legacy System: **LBS**

Legal

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MODEL FARM BUILDINGS AT TOP FARM

Official list entry

Heritage Category: **Listed Building**

Grade: **II**

List Entry Number: **1244181**

Date first listed: **14-Nov-1986**

List Entry Name: **MODEL FARM BUILDINGS AT TOP FARM**

Statutory Address 1: **MODEL FARM BUILDINGS AT TOP FARM, TOWN STREET**

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Location

Statutory Address: **MODEL FARM BUILDINGS AT TOP FARM, TOWN STREET**

The building or site itself may lie within the boundary of more than one authority.

County: **Nottinghamshire**

District: **Rushcliffe (District Authority)**

Parish: **Hawksworth**

National Grid Reference: **SK7527443404**

Details

HAWKSWORTH TOWN STREET SK 74 SE (south west side) 5/105 Model Farm buildings at Top Farm

G.V. II

Model stable range and adjoining stables. 1837. Brick with gabled, hipped and lean-to pantile roofs. Chamfered eaves, brick coped gables with kneelers and ball finials. Single side wall stack. Single, 2 and 3 storeys. 4 bays wide. Square plan with central yard. Windows are mainly casements with chamfered reveals and hood moulds. Town Street front has off-centre tower, 3 stages, flanked by single storey wings. Tower has four centred arched door with hood mould and above, mullioned casement. Above again, a smaller casement. Above again, square brick bell turret with 4 chamfered openings and ogee leaded dome. Wing to right has 2 plain casements. Door in return angle. Main Street front has to left, cartshed, 2 bays, with timber posts. To right, 2 storey stable with elliptical headed carriage doorway and to right, door with segmental head and a casement. Above, datestone inscribed '1837' and to right, square hatch. Adjoining single storey stables have to south east a plain casement and a door.

Listing NGR: SK7527443404

Legacy

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Legacy System number: **448131**

Legacy System: **LBS**

Legal

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Appendix 4: Cotswold Archaeology Interim Archaeology Report on Trial Trenching

Longhedge Solar Farm, Hawksworth, Nottinghamshire – interim summary on archaeological trial trenching

During April and May 2024, Cotswold Archaeology undertook a trial trench evaluation of land to the northeast of the village of Hawksworth, Nottinghamshire (NGR: 476129 343467), in connection with proposals for the development of a solar farm. The evaluation comprised the excavation of 75no. trenches, 74 measuring 50m long by 2m wide and one T-shaped trench with arms each measuring 50m x 2m, in the locations shown on the accompanying figures. The trenches were located to test geophysical anomalies and to investigate apparently blank areas in the geophysical survey where infrastructure such as access roads, kiosks etc. would be constructed should the scheme be consented. Forty-three trenches contained features provisionally ranging in date from the later prehistoric period through to the extensive remains of ridge and furrow and former field, boundary ditches associated with the agricultural management of the landscape in the medieval, and post-medieval period. Overall, the results of the trial trenching displayed a strong correlation with the results of the preceding geophysical survey, suggesting that the geophysics had successfully identified those remains of a type or period that would be expected to respond to magnetometer survey.

Field 1 (trenches 1 – 7) contained a series of furrows, associated with the previous ridge and furrow cultivation of the area, a likely quarry pit in trench 6 and an undated probable former field boundary ditch in trench 7. Survival of the furrows, the presence of which had been suggested by the preceding geophysical survey, was fragmentary, with no surviving examples in trenches 1 and 2, while trenches 3, 4 and 5 contained variable numbers, all heavily truncated by later agricultural operations, running on a northwest to southeast orientation. The probable quarry pit in trench 6 filled the entirety of the trench; tobacco clay pipe recovered from the fill suggests a post-medieval date. In the west part of the field, in trench 7, two furrows were noted along with a probable former field boundary ditch at the far northwest end of the trench. These three features all appeared to broadly correspond with north-northeast to south-southwest orientated trends identified by the geophysical survey.

The trenches in field 2 (trenches 8 – 15) also contained a series of furrows, orientated northwest to southeast and corresponding with fragmentary linear anomalies identified by the geophysical survey. Example furrows were excavated in trenches 9, 10 and 14. In trench 9, intercutting ditches 902/ 904 corresponded with a fragmentary geophysical anomaly suggestive of a trackway or enclosure/ field system, the greater part of which is situated to the southwest of the trench, within the application boundary but outwith the development footprint. No dating evidence was recovered from the ditches but it appears that they originated as separate features.

Similarly, in trench 12, two northeast to southwest orientated anomalies that morphologically appear to form part of the same trackway and enclosure system encountered in trench 9 were investigated where they were again shown to correspond with sub-surface features, undated intercutting ditches 1214/ 1216 and ditch 1204. No dating evidence was recovered from any of these features. Trench 14, in the southeast part of the field, contained a large, shallow pit, 1402, and an elongated pit or gully terminus, 1405. The pit/terminus was 100% excavated following discussions with the Nottinghamshire County Council Planning Archaeologist in order to maximise the recovery of datable finds; however, neither feature produced any dating evidence and both were noted to be heavily truncated by agricultural operations.

Field 3 (trenches 16 – 25) contained a series of geophysical anomalies indicative of Late Prehistoric – Roman enclosures with internal features, collectively suggestive of a settlement focus. Trench 16, in the southwest part of the field, contained two ditches, both of which broadly corresponded with geophysical anomalies. Trenches 17, 20, 24 and 25 were devoid of archaeological features (a tufa deposit extending across trench 25 was subject to test pitting with the excavator to determine whether the tufa masked any earlier deposits - this was shown not to be the case). A palaeochannel was identified by the geophysics, running through trench 18. The machine excavation of a section across the full width of the feature identified deposits of likely palaeoenvironmental interest that have been recorded and sampled by specialists from the York Archaeological Trust and following a methodology informed by the Cotswold Archaeology Geoarchaeologist and approved by the Nottinghamshire County Council Planning Archaeologist. Corresponding well with the results of the geophysical survey, trenches 21, 22 and 23 contained a number of archaeological features, with trenches 22 and 23 containing a particularly dense concentration of remains – as suggested by the geophysical survey results. In trench 21 a large pit partially exposed within the trench with a surrounding group of three postholes was investigated, with fired clay and pottery of late prehistoric date recovered from the pit. In trenches 22 and 23 several ditches and gullies were investigated, the correlation with the anomalies identified by the geophysical survey being shown to be particularly good. Late Iron Age and Roman pottery was again recovered with spot-dating suggesting an emphasis on the late prehistoric and early Roman period. No material has been recovered to date from stratified features post-dating the mid-2nd century AD.

Plough truncation of the features in trenches 21 – 23 was apparent and frequent Roman pottery was noted in the ploughsoil across field 3, indicating that the remains in this area have been affected by modern agricultural operations.

Field 4 (trenches 26 – 41). The results of the trial trenching in field 4 displayed a very high level of correlation with the results of the preceding geophysical survey, which had identified anomalies suggestive of a series of trackways, paddocks and enclosures of likely late prehistoric – Roman date. Furrows were identified on corresponding alignments to those recorded by the geophysics, cutting, where present (e.g. trenches 26 and 35) a subsoil deposit, which in turn sealed features of Iron Age/ Roman date. Trenches 27, 31, 32, 38, 39 and 40 were either entirely devoid of archaeological remains or contained only furrows.

Trench 26 contained several furrows, a posthole and a large ditch (2602) likely to be a continuation of a linear anomaly recorded to the south-southeast of the trench. Trench 28, to the northeast,

contained a number of ditched features corresponding with geophysical anomalies, including ditch 2811, which appears to form one side of a small enclosure. Probable pit 2803 corresponds with an anomaly/ possible internal feature within the enclosure. Trench 29 contained a north-northeast to south southwest orientated ditch also corresponding with a geophysical anomaly and appearing to form an extension to the enclosure seen in trench 28. Pottery of broad Roman date was recovered from the ditch (2902). In trench 30 two parallel ditches were recorded, 3003 and 3011, matching two linear anomalies on the same alignment that morphologically form part of the network of trackways and fields identified in this part of the site.

Two ditches were investigated in trench 33, both corresponding with linear anomalies suggestive of a trackway or field system. Both ditches continued to the southwest, running through trench 34, where they were investigated as ditches 3402 and 3404.

To the southwest of trench 34, trench 35 was positioned to investigate two rectilinear anomalies suggestive of small enclosures. In addition to several furrows, also identified by the geophysical survey, ditches 3502 and 3504 corresponded with the western arm of one of the enclosures. Although only one anomaly was recorded in this location it is considered that the very close spacing of the ditches and similarity of fill accounts for this. Pottery of broad Roman date was recovered from ditch 3502 while pottery of 1st century AD date was recovered from ditch 3504.

Trench 37 was also positioned to investigate a pair of north-northeast to south- southwest orientated anomalies suggestive of a trackway. Ditches 3702 and 3704 corresponded with the western anomaly/ west side of the trackway, with ditch 3704 being the larger of the two features. As with ditches 3502 and 3504 in trench 35, it is considered that the close spacing of the ditches accounts for only one anomaly having been recorded here. The location of the eastern anomaly corresponded with an operational agricultural tramline and so the presence of the ditch could not be verified here.

Trench 41 targeted two curvilinear anomalies running to the southeast of the trackway in trench 37. Toward the central part of the trench were pit 4103 and ditch 4105, the latter corresponding with the line of northernmost anomaly. A corresponding feature for the southern anomaly was not seen.

Overall, and as noted above, the correlation between the results of the geophysical survey and features identified in the trenches in field 4 was very high. The density of finds noted/ recovered was considerably lower than that seen in field 3, with the features in field 4 seemingly representing a series of trackways, paddocks and fields associated with the settlement focus in trenches 21 – 23, in field 3.

Field 5 (trenches 42 and 43). No notable archaeological remains were identified in field 5, with trench 42 being entirely devoid of features while trench 43 contained geological variations suggestive of possible palaeochannel edge deposits, the palaeochannel having been comprehensively investigated and sampled in trench 18 (field 3).

Field 6 (trenches 44 – 54) The trenches in field 6 were positioned to investigate anomalies of possible/ probable archaeological origin as well as to provide a sample of apparently blank areas. Trenches 46, 48, 49, 50 51 and 52 were either entirely devoid of remains or contained only furrows/

post-medieval field boundary ditches. Trench 45 targeted a group of anomalies of probable/ possible archaeological origin, primarily in the northeast half of the trench. Three ditches and two pits were identified with pottery again indicating a late prehistoric date. Trench 53 was positioned to investigate a circular anomaly/ possible ring ditch but only one feature was identified, ditch 5303, which was located immediately to the north of the northern edge of the circular anomaly and to the south of a northwest to southeast orientated linear trend. Consequently, the origin of this feature remains uncertain. Trench 54 also targeted a series of linear and curvilinear anomalies of probable and possible archaeological origin. Toward the north-northwest end of the trench, ditch 5403 corresponded with a curvilinear anomaly, while northeast to southwest orientated ditch 5405 was located in the central part of the trench.

Field 7 (trenches 56 – 68). No notable archaeological remains were identified in field 6, the trenches containing only furrows, associated with the previous ridge and furrow cultivation of the area, and a former field boundary ditch in trench 67. As with the other parts of the site, there was again a good level of correlation between the results of the geophysical survey and features observed in the trenches.

Field 8 (trenches 71 – 75). The trenches in field 7 again only contained features relating to the previous agricultural management of the landscape. Broadly east-west orientated furrows were identified in trenches 71 and 74, and on a north-northeast alignment in trench 72. A field boundary ditch expected to be seen in trench 73 was not identified, while trench 75 was devoid of features.

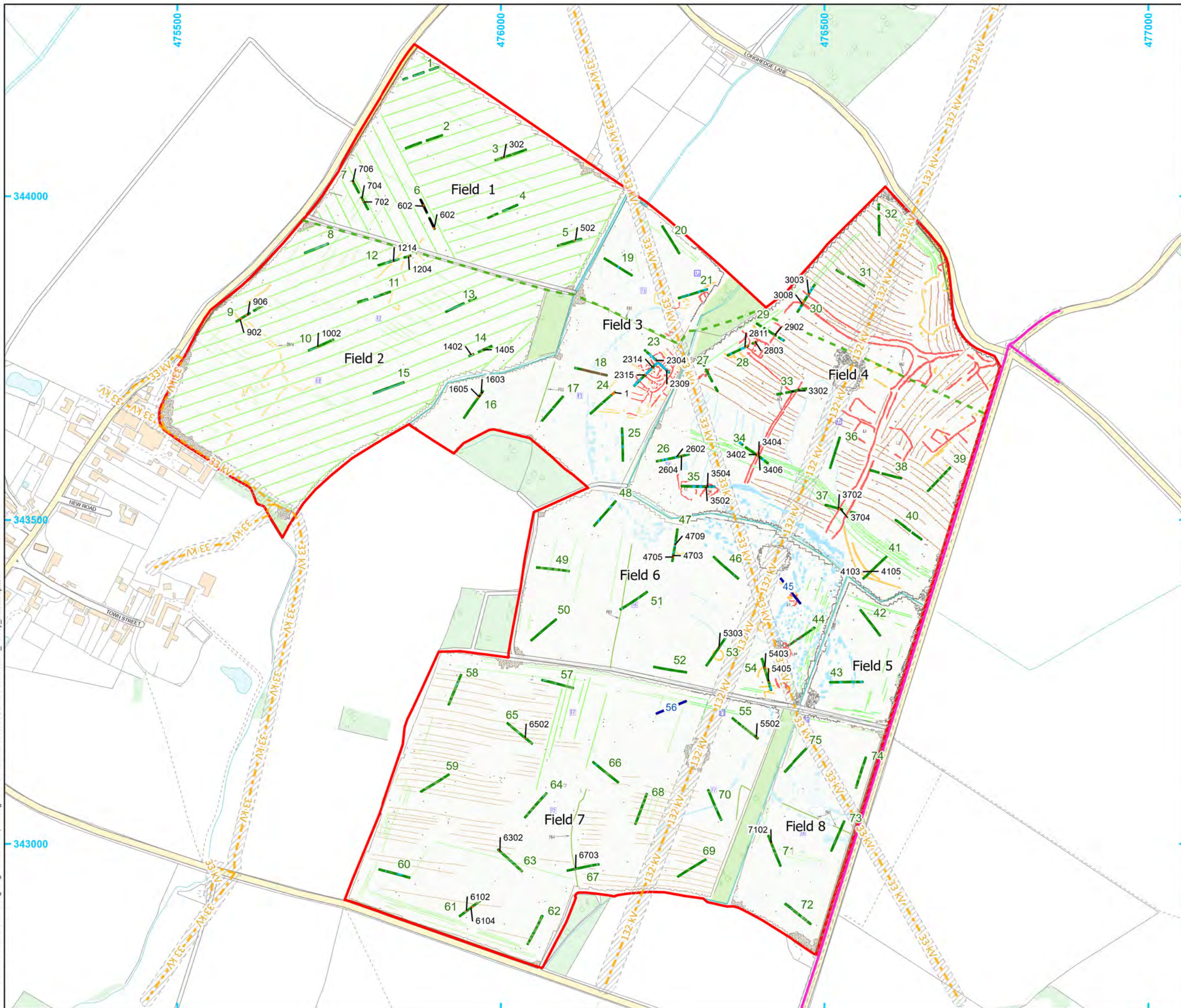
Interim conclusion

The results of the evaluation demonstrate a high degree of correlation between the results of the trial trenching and the preceding geophysical survey, indicating that the latter had successfully identified those remains of a type or period that would be expected to respond to magnetometer survey. Late prehistoric and Roman remains were identified in fields 3, 4 and 6, as suggested by the geophysical survey, with an apparent settlement focus in field 3, in trenches 21, 22 and 23. The extensive network of trackways, paddocks and enclosures identified in field 4 appears to be associated with the settlement focus in field 3 but the quantities of artefacts recovered from the trenches in field 4 was noticeably lower than from the trenches in field 3, and the features in field 4 seemingly represent the agricultural hinterland to the settlement in field 3. At the time of writing, little or no material artefactual material post-dating the mid-2nd century AD has been identified from stratified features, suggesting that the settlement focus in this area shifted in or around the mid to late 2nd century AD. The features in field 6 appear to be broadly contemporary in date and likely represent further activity focused around the watercourse/ palaeochannel.

A further focus of activity is suggested the southwest part of field 2, where intercutting ditches 902/ 904 corresponded with a fragmentary geophysical anomaly suggestive of a trackway or enclosure/ field system, the greater part of which is situated to the southwest of the trench, within the application boundary but outwith the development footprint. Similarly, in trench 12, undated intercutting ditches 1214/ 1216 and ditch 1204 morphologically appear to form part of the same trackway and enclosure system, while trench 14, in the southeast part of the field, contained a large, shallow pit, 1402, and an elongated pit or gully terminus, 1405. Neither feature produced any dating evidence and both were noted to be heavily truncated by agricultural operations.

The remaining features encountered included furrows, former field boundary ditches and a quarry pit, all of which are associated with land management and the agricultural use of the landscape over time, but particularly in the medieval and post-medieval periods.

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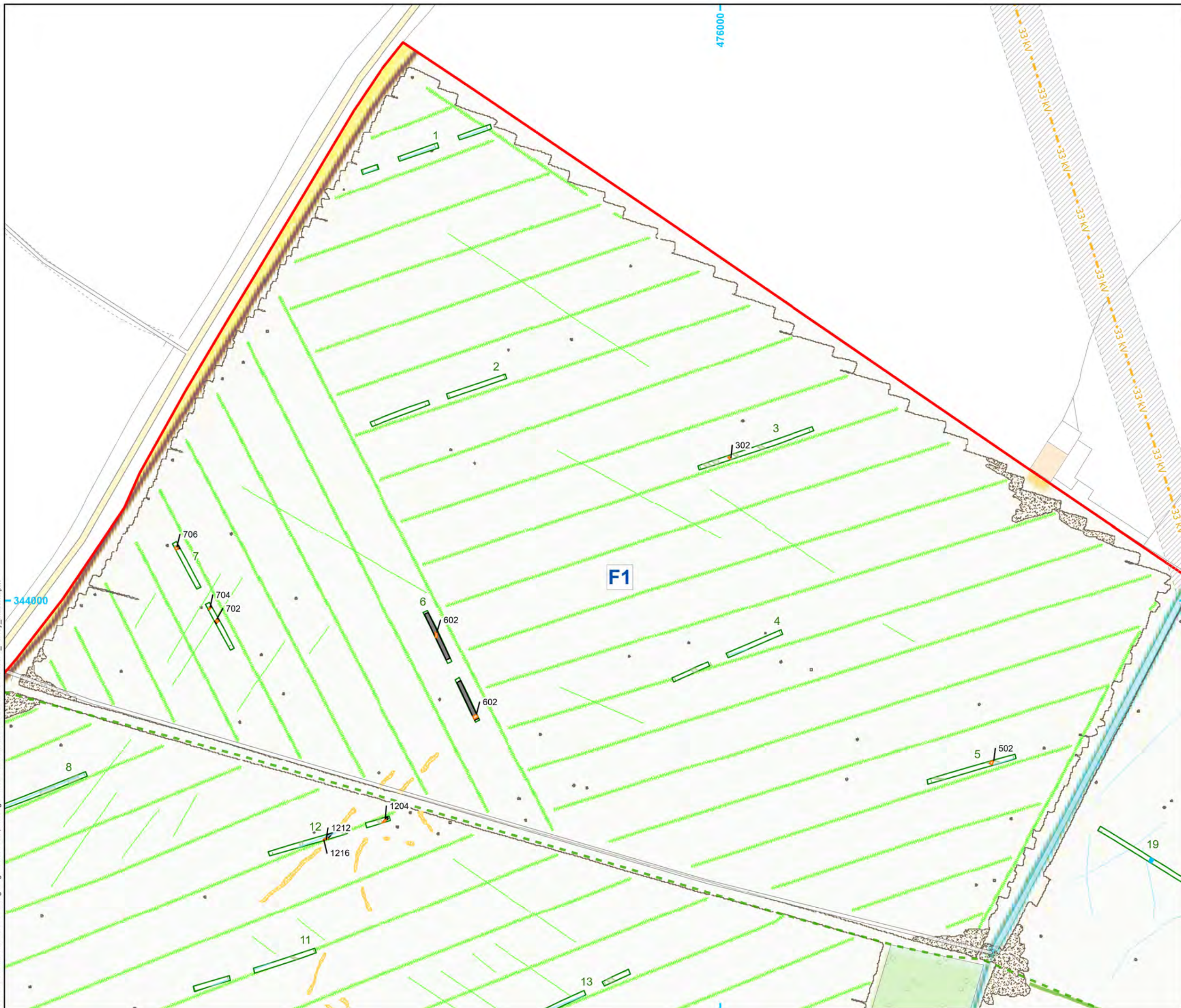
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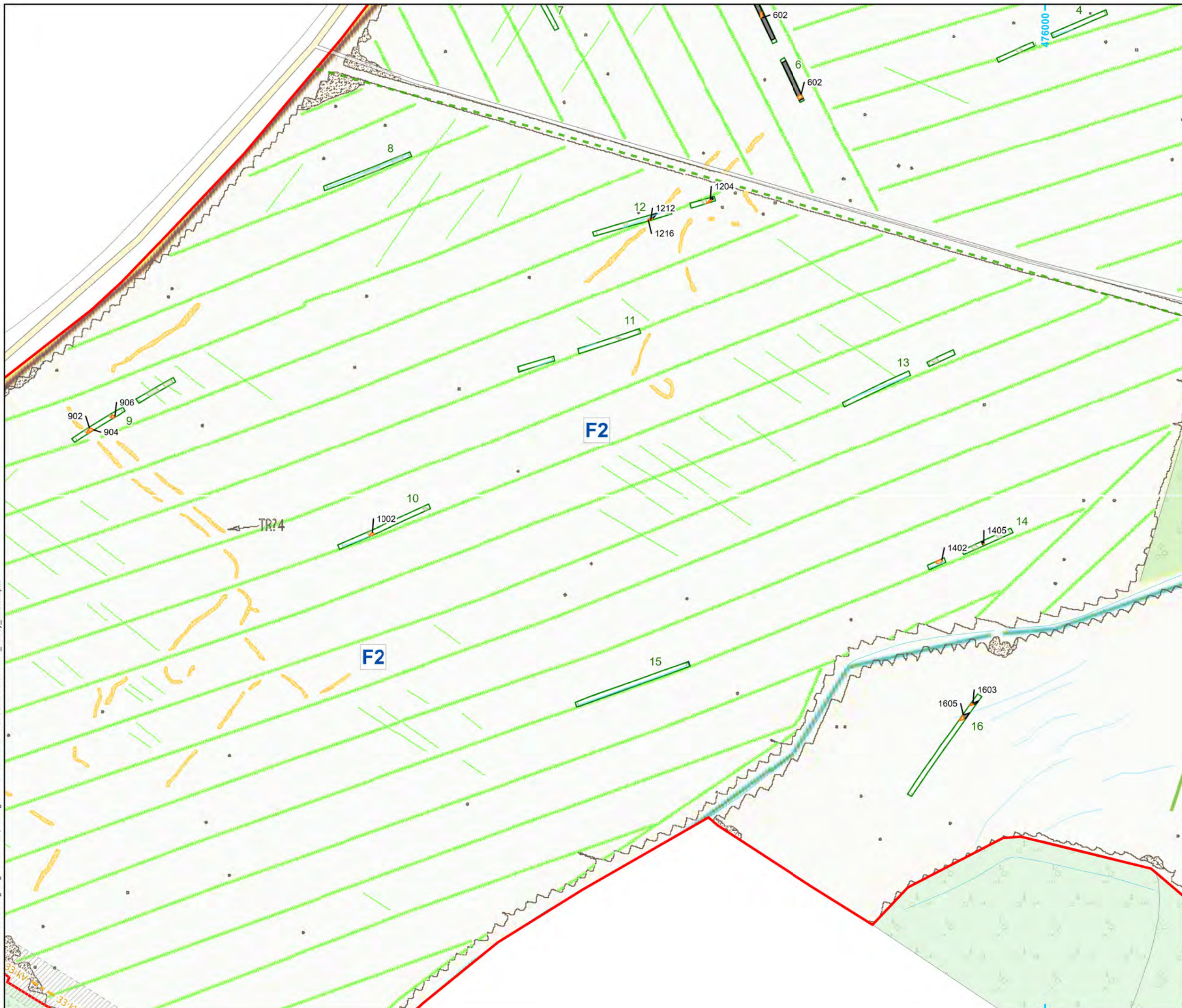
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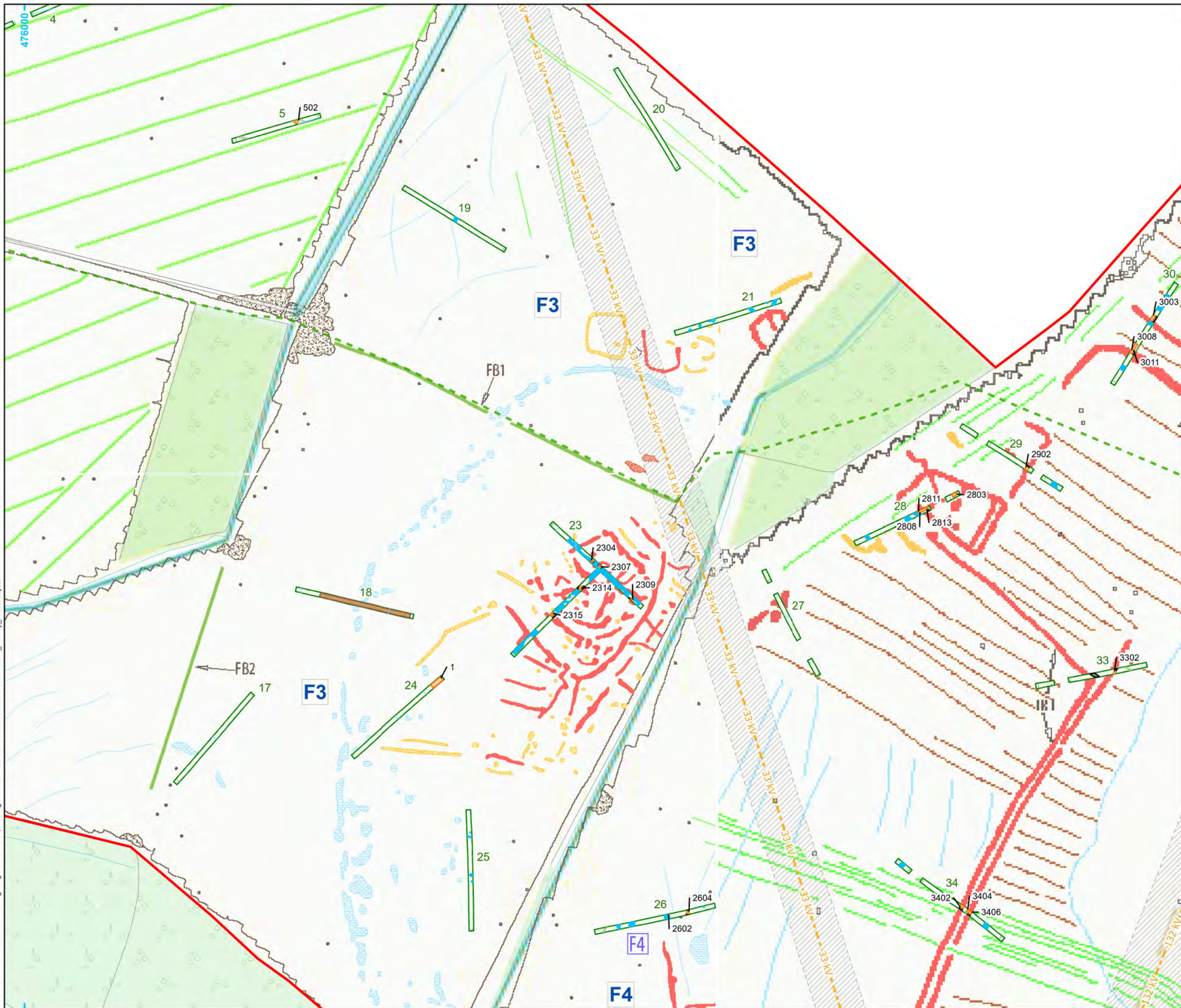
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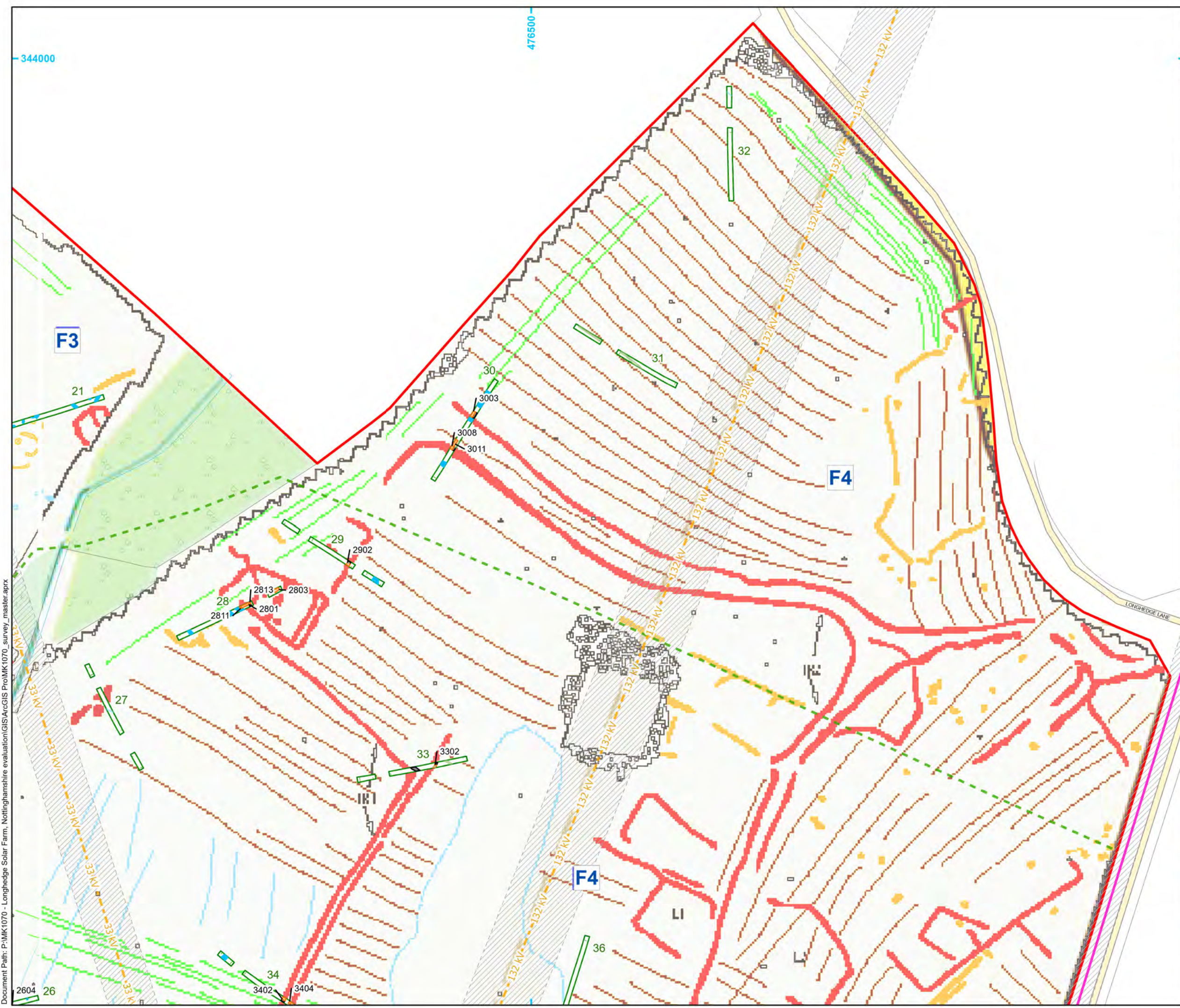
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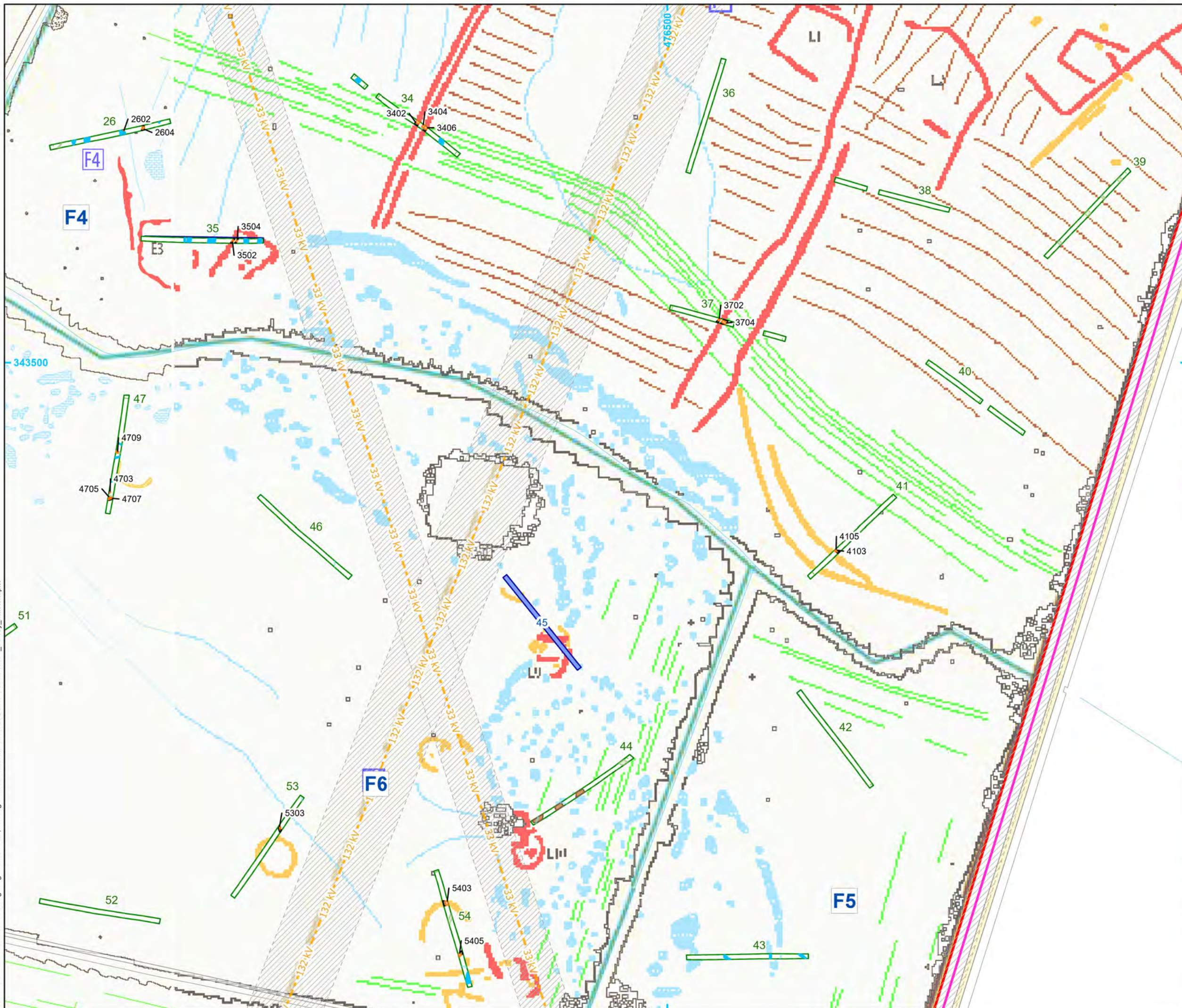
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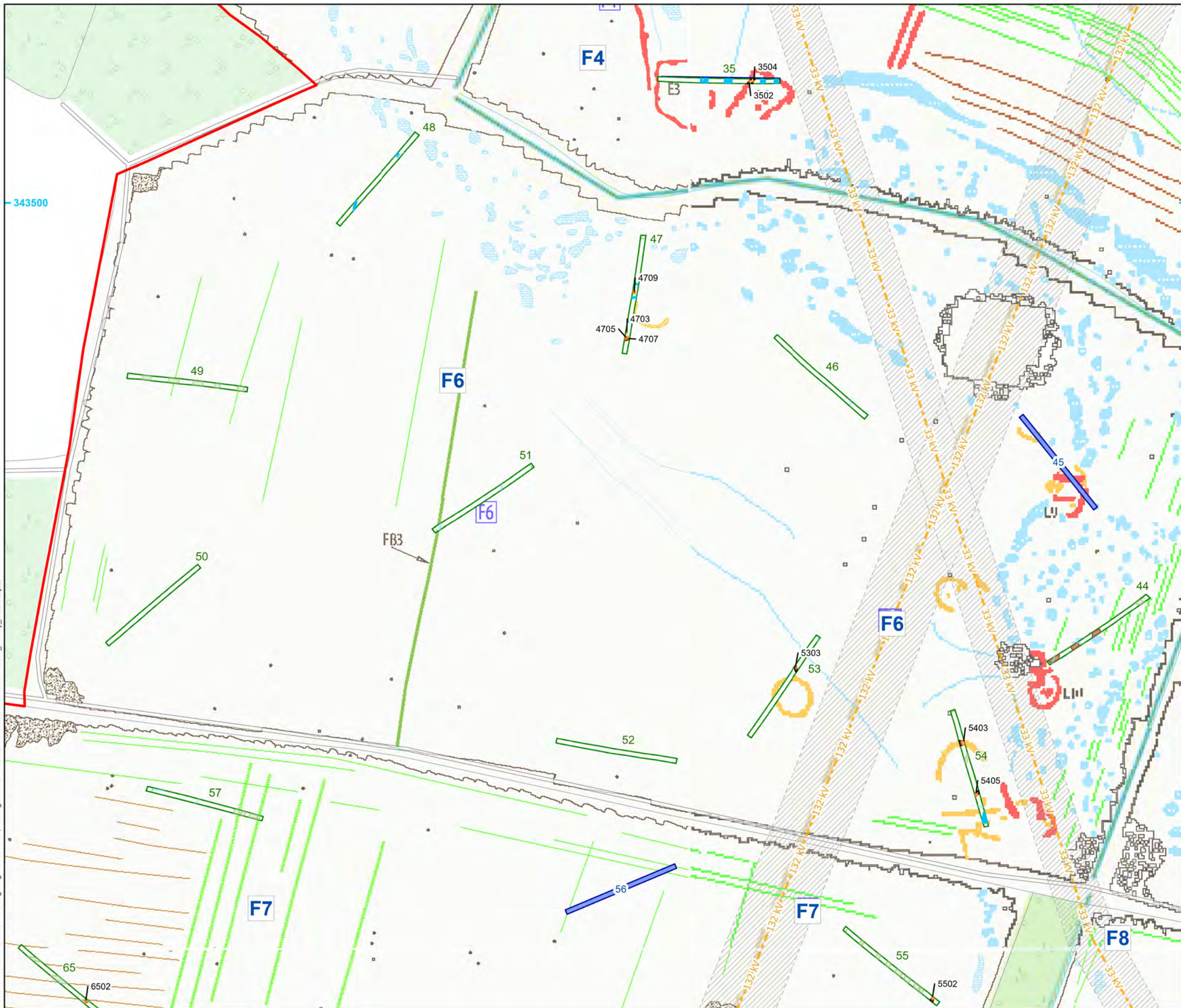
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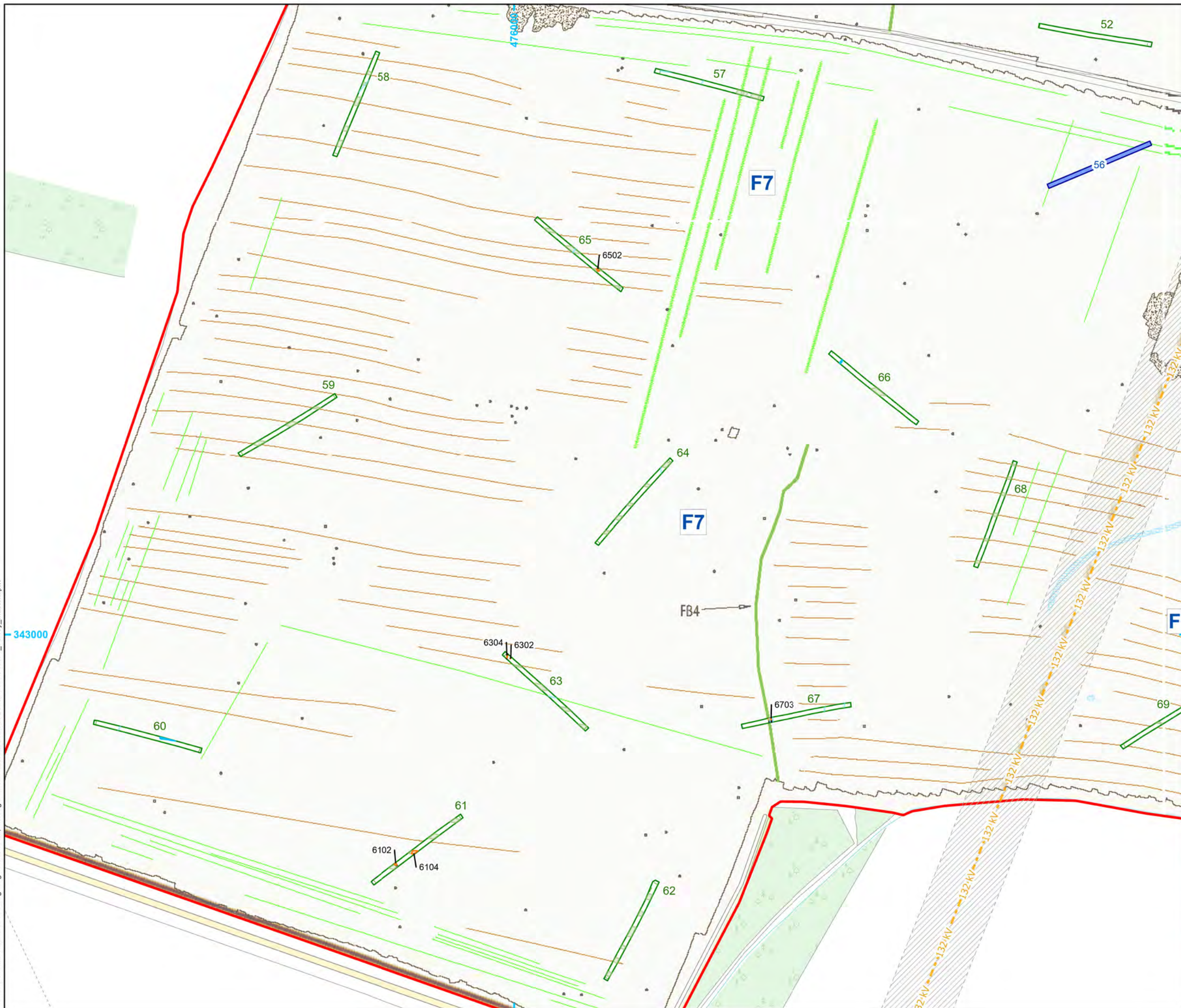
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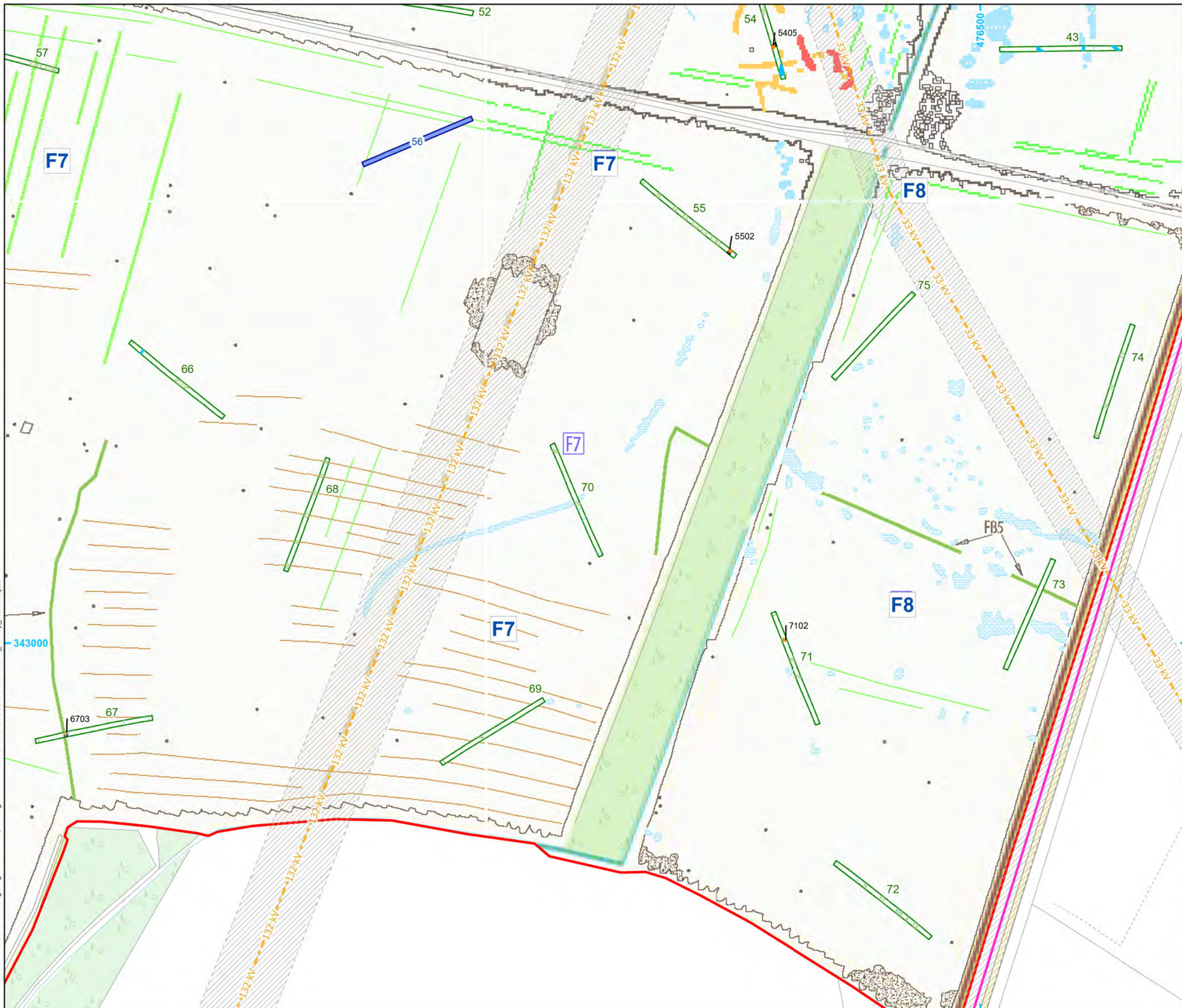
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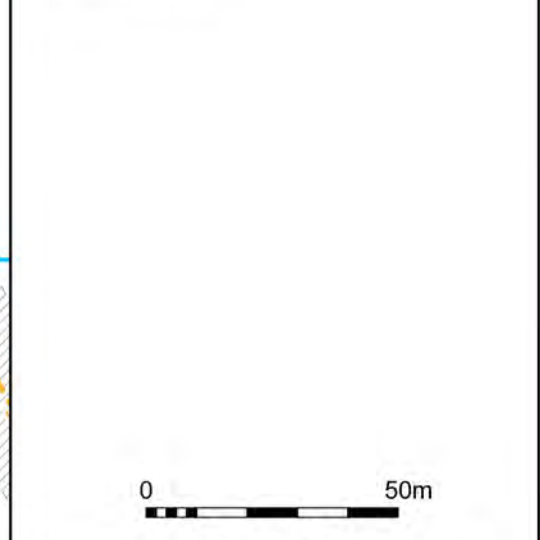


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Appendix 5: Legislation and Planning Policy

Legislation

Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*, which provides statutory protection for Listed Buildings and Conservation Areas.²¹

Section 16 (2) of the Act relates to the consideration of applications for Listed Building Consent and states that:

“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”²²

Section 66(1) of the Act goes on to state that:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”²³

In the 2014 Court of Appeal judgement in relation to the Barnwell Manor case, Sullivan LJ held that:

“Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given “considerable importance and weight” when the decision-maker carries out the balancing exercise.”²⁴

A judgement in the Court of Appeal (‘Mordue’) has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134 of the 2012 version of the NPPF, the requirements of which are now given in paragraph 208 of the current, revised NPPF), this is in keeping with the requirements of the 1990 Act.²⁵

²¹ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

²² UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16(2).

²³ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990, Section 66(1).

²⁴ Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others [2014] EWCA Civ 137. para. 24.

²⁵ Jones v Mordue [2015] EWCA Civ 1243.



In addition to the statutory obligations set out within the *Planning (Listed Buildings and Conservations Area) Act 1990*, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.²⁶

National Planning Policy Framework (December 2023)

National policy and guidance is set out in the Government's *National Planning Policy Framework (NPPF)* published in December 2023. This replaced and updated the previous *NPPF* (September 2023). The *NPPF* needs to be read as a whole and is intended to promote the concept of delivering sustainable development.

The *NPPF* sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The *NPPF* continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.

The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the 'presumption') sets out the tone of the Government's overall stance and operates with and through the other policies of the *NPPF*. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

The purpose of the planning system is to contribute to the achievement of sustainable development and the *NPPF* sets out three 'objectives' to facilitate sustainable development: an economic objective, a social objective, and an environmental objective. The presumption is key to delivering these objectives, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the *NPPF*. The presumption is set out in full at paragraph 11 of the *NPPF* and reads as follows:

"Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a. all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;***

²⁶ UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).



- b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:**
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or**
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.**

For decision-taking this means:

- a. approving development proposals that accord with an up-to-date development plan without delay; or**
- b. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:**
 - i. the application policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or**
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”²⁷**

However, it is important to note that footnote 7 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 187) and/or designated as sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 72); and areas at risk of flooding or coastal change.”²⁸ (My emphasis).

The NPPF continues to recognise that the planning system is plan-led and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

²⁷ DLUHC, NPPF, para. 11.

²⁸ DLUHC, NPPF, para. 11, fn. 7.



Heritage Assets are defined in the NPPF as:

“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).”²⁹

The NPPF goes on to define a Designated Heritage Asset as a:

“World Heritage site , Scheduled Monument, Listed Building, Protected Wreck site , Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation.”³⁰

As set out above, significance is also defined as:

“The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage site s, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”³¹

Section 16 of the NPPF relates to ‘Conserving and enhancing the historic environment’ and states at paragraph 201 that:

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”³²

Paragraph 203 goes on to state that:

“In determining planning 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;***

²⁹ DLUHC, NPPF, Annex 2.

³⁰ DLUHC, NPPF, Annex 2.

³¹ DLUHC, NPPF, Annex 2.

³² DLUHC, NPPF, para. 201.



- 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.”³³**

With regard to the impact of proposals on the significance of a heritage asset, paragraphs 205 and 206 are relevant and read as follows:

“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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”³⁴

“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. Substantial harm to or loss of:

- a. grade II listed buildings, or grade II registered parks or gardens, should be exceptional;**
- b. assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage sites, should be wholly exceptional.”³⁵**

In the context of the above, it should be noted that paragraph 207 reads as follows:

“Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site; and**
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and**
- c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and**

³³ DLUHC, NPPF, para. 203.

³⁴ DLUHC, NPPF, para. 205.

³⁵ DLUHC, NPPF, para. 206.



d. the harm or loss is outweighed by the benefit of bringing the site back into use.”³⁶

Paragraph 208 goes on to state:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”³⁷

Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

National Planning Practice Guidance

The then Department for Communities and Local Government (now the Department for Levelling Up, Housing and Communities (DLUHC)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.

This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.

The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of ‘significance’ in decision taking is important and states:

“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.”³⁸

In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

“In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its

³⁶ DLUHC, NPPF, para. 207.

³⁷ DLUHC, NPPF, para. 208.

³⁸ DLUHC, PPG, paragraph 007, reference ID: 18a-007-20190723.



special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm."³⁹ (My emphasis).

National Design Guide

Section C2 relates to valuing heritage, local history and culture and states:

"When determining how a site may be developed, it is important to understand the history of how the place has evolved. The local sense of place and identity are shaped by local history, culture and heritage, and how these have influenced the built environment and wider landscape."⁴⁰

"Sensitive re-use or adaptation adds to the richness and variety of a scheme and to its diversity of activities and users. It helps to integrate heritage into proposals in an environmentally sustainable way."⁴¹

It goes on to state that:

"Well-designed places and buildings are influenced positively by:

- ***the history and heritage of the site, its surroundings and the wider area, including cultural influences;***
- ***the significance and setting of heritage assets and any other specific features that merit conserving and enhancing;***
- ***the local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details – see Identity.***

³⁹ DLUHC, PPG, paragraph 018, reference ID: 18a-018-20190723.

⁴⁰ DLUHC, NDG, para. 46.

⁴¹ DLUHC, NDG, para. 47.



Today's new developments extend the history of the context. The best of them will become valued as tomorrow's heritage, representing the architecture and placemaking of the early 21st century.⁴² (My emphasis).

Local Planning Policy

The Rushcliffe Local Plan is in two parts. Part 1 was adopted December 2014 part 2 in October 2019. Policies relevant to this Appeal and referenced within the RfR are:

LPP1 Policy 11: Historic Environment

"1. Proposals and initiatives will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their interest and significance. Planning decisions will have regard to the contribution heritage assets can make to the delivery of wider social, cultural, economic and environmental objectives.

2. The elements of Rushcliffe's historic environment which contribute towards the unique identity of areas and help create a sense of place will be conserved and, where possible, enhanced with further detail set out in later Local Development Documents. Elements of particular importance include:

a) industrial and commercial heritage such as the textile heritage and the Grantham Canal;

b) Registered Parks and Gardens including the grounds of Flintham Hall, Holme Pierrepont Hall, Kingston Hall and Stanford Hall; and

c) prominent listed buildings.

3. A variety of approaches will be used to assist in the protection and enjoyment of the historic environment including:

a) the use of appraisals and management plans of existing and potential Conservation Areas;

b) considering the use of Article 4 directions;

c) working with partners, owners and developers to identify ways to manage and make better use of historic assets;

d) considering improvements to the public realm and the setting of heritage assets within it;

⁴² DLUHC, NDG, paras. 48-49.



e) ensuring that information about the significance of the historic environment is publicly available. Where there is to be a loss in whole or in part to the significance of an identified historic asset then evidence should first be recorded in order to fully understand its importance; and

f) considering the need for the preparation of local evidence or plans.

4. Particular attention will be given to heritage assets at risk of harm or loss of significance, or where a number of heritage assets have significance as a group or give context to a wider area."

LPP2 Policy 16: Renewable Energy

"1. Proposals for renewable energy schemes will be granted planning permission where they are acceptable in terms of:

a) compliance with Green Belt policy:

b) landscape and visual effects;

c) ecology and biodiversity;

d) best and most versatile agricultural land;

e) the historic environment;

f) open space and other recreational uses;

g) amenity of nearby properties;

h) grid connection;

i) form and siting;

j) mitigation;

k) the decommissioning and reinstatement of land at the end of the operational life of the development;

l) cumulative impact with existing and proposed development;

m) emissions to ground, water courses and/or air;

n) odour;

o) vehicular access and traffic; and

p) proximity of generating plants to the renewable energy source."



LPP2 Policy 28: Conserving and Enhancing Heritage Assets

“1. Proposals that affect heritage assets will be required to demonstrate an understanding of the significance of the assets and their settings, identify the impact of the development upon them and provide a clear justification for the development in order that a decision can be made as to whether the merits of the proposals for the site bring public benefits which decisively outweigh any harm arising from the proposals.

2. Proposals affecting a heritage asset and/or its setting will be considered against the following criteria:

a) the significance of the asset;

b) whether the proposals would be sympathetic to the character and appearance of the asset and any feature of special historic, architectural, artistic or archaeological interest that it possesses;

c) whether the proposals would conserve or enhance the character and appearance of the heritage asset by virtue of siting, scale, building form, massing, height, materials and quality of detail;

d) whether the proposals would respect the asset’s relationship with the historic street pattern, topography, urban spaces, landscape, views and landmarks;

e) whether the proposals would contribute to the long-term maintenance and management of the asset; and

f) whether the proposed use is compatible with the asset.”



Appendix 6: Methodology

Assessment of significance

In the *NPPF*, heritage significance is defined as:

“The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage site s, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”⁴³

Historic England's *GPA:2* gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.⁴⁴

In order to do this, *GPA 2* also advocates considering the four types of heritage value an asset may hold, as identified in English Heritage's *Conservation Principles*.⁴⁵ These essentially cover the heritage 'interests' given in the glossaries of the *NPPF* and the *PPG* which are archaeological, architectural and artistic, and historic.⁴⁶

The *PPG* provides further information on the interests it identifies:

Archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

Architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture.

Historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.⁴⁷

⁴³ DLUHC, *NPPF*, Annex 2.

⁴⁴ Historic England, *GPA:2*.

⁴⁵ Historic England, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These heritage values are identified as being 'aesthetic', 'communal', 'historical' and 'evidential', see *idem* pp. 28–32.

⁴⁶ DLUHC, *NPPF*, Annex 2; DLUHC, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

⁴⁷ DLUHC, *PPG*, paragraph 006, reference ID: 18a-006-20190723.



Significance results from a combination of any, some, or all of the interests described above.

Historic England guidance on assessing heritage significance, *HEAN:12*, advises using the terminology of the *NPPF* and *PPG*, and thus it is that terminology which is used in this Report.⁴⁸

Listed Buildings are generally designated for their special architectural and historic interest.

Levels of significance

Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Listed Buildings will be discussed with reference to the building, its setting, and any features of special architectural or historic interest which it possesses.

In accordance with the levels of significance articulated in the *NPPF* and the *PPG*, three levels of significance are identified:

Designated heritage assets of the highest significance, as identified in paragraph 206 of the *NPPF*, comprising Grade I and II* Listed Buildings, Grade I and II* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 72 of the *NPPF*;⁴⁹

Designated heritage assets of less than the highest significance, as identified in paragraph 206 of the *NPPF*, comprising Grade II Listed Buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas);⁵⁰ and

Non-designated heritage assets. Non-designated heritage assets are defined within the *PPG* as “*buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets*”.⁵¹

Additionally, it is of course possible that sites, buildings or areas have no heritage significance.

Grading significance

There is no definitive grading system for assessing or categorising significance outside of the categories of designated heritage assets and non-designated heritage assets, specifically with regard to the relative significance of different parts of an asset.

⁴⁸ Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets*, *Historic England Advice Note 12* (Swindon, October 2019).

⁴⁹ DLUHC, *NPPF*, para. 206 and fn. 72.

⁵⁰ DLUHC, *NPPF*, para. 206.

⁵¹ DLUHC, *PPG*, paragraph 039, reference ID: 18a-039-20190723.



ICOMOS guidance recognises that a degree of professional judgement is required when defining significance:

“...the value of heritage attributes is assessed in relation to statutory designations, international or national, and priorities or recommendations set out in national research agendas, and ascribed values. Professional judgement is then used to determine the importance of the resource. Whilst this method should be used as objectively as possible, qualitative assessment using professional judgement is inevitably involved.”⁵²

This assessment of significance adopts the following grading system:

Highest significance: Parts or elements of a heritage asset, or its setting, that are of particular interest and are fundamental components of its archaeological, architectural, aesthetic or historic interest, and form a significant part of the reason for designation or its identification as a heritage asset. These are the areas or elements of the asset that are most likely to warrant retention, preservation or restoration.

Moderate significance: Parts or elements of the heritage asset, or its setting, that are of some interest but make only a modest contribution to the archaeological, architectural, aesthetic or historic interest of the heritage asset. These are likely to be areas or elements of the asset that might warrant retention but are capable of greater adaptation and alteration due to their lesser relative significance.

Low or no significance: Parts or elements of the heritage asset, or its setting, that make an insignificant, or relatively insignificant contribution to the archaeological, architectural, aesthetic or historic interest of the heritage asset. These are likely to be areas or elements of the asset that can be removed, replaced or altered due to their minimal or lack of significance and are areas and elements that have potential for restoration or enhancement through new work.

Setting and significance

As defined in the NPPF:

“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”⁵³

⁵² International Council on Monuments and Sites (ICOMOS), *Guidance on Heritage Impact Assessment for Cultural World Heritage Properties* (Paris, January 2011), paras. 4–10.

⁵³ DLUHC, *NPPF*, Annex 2.



Setting is defined as:

“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.”⁵⁴

Therefore, setting can contribute to, affect an appreciation of significance, or be neutral with regards to heritage values.

Assessing change through alteration to setting

How setting might contribute to these values has been assessed within this Report with reference to GPA:3, particularly the checklist given on page 11. This advocates the clear articulation of “*what matters and why*”.⁵⁵

In GPA:3, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated. The guidance includes a (non-exhaustive) checklist of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists aspects associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to maximise enhancement and minimise harm. Step 5 is to make and document the decision and monitor outcomes.

A Court of Appeal judgement has confirmed that whilst issues of visibility are important when assessing setting, visibility does not necessarily confer a contribution to significance and factors other than visibility should also be considered, with Lindblom LJ stating at paragraphs 25 and 26 of the judgement (referring to an earlier Court of Appeal judgement):

Paragraph 25 – “But – again in the particular context of visual effects – I said that if “a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape” (paragraph 56).

Paragraph 26 – “This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of course,

⁵⁴ DLUHC, NPPF, Annex 2.

⁵⁵ Historic England, GPA:3, pp. 8, 11.



the decision-maker will be concentrating on visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognizes the potential relevance of other considerations – economic, social and historical. These other considerations may include, for example, “the historic relationship between places”. Historic England’s advice in GPA3 was broadly to the same effect.”⁵⁶

Assessment of harm

Assessment of any harm will be based on a consideration of each element of the proposals and articulated in terms of the relevant policy and law. For Listed Buildings, this means assessing whether the proposals preserve the building, its setting and any features of special architectural or historic interest, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

In accordance with key policy, the following levels of harm may potentially be identified for designated heritage assets:

Substantial harm or total loss. It has been clarified in a High Court Judgement of 2013 that this would be harm that would “*have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced*”;⁵⁷ and

Less than substantial harm. Harm of a lesser level than that defined above.

With regards to these two categories, the PPG states:

“Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.”⁵⁸

Hence, for example, harm that is less than substantial would be further described with reference to where it lies on that spectrum or scale of harm, for example low end, middle, and upper end of the less than substantial harm spectrum/scale.

⁵⁶ Catesby Estates Ltd. V. Steer [2018] EWCA Civ 1697, paras. 25 and 26.

⁵⁷ Bedford Borough Council v Secretary of State for Communities and Local Government [2013] EWHC 2847 (Admin), para. 25.

⁵⁸ DLUHC, PPG, paragraph 018, reference ID: 18a-018-20190723.



It is also possible that proposals will cause no harm or preserve the significance of heritage assets. Here, a High Court Judgement of 2014 is relevant. This concluded that with regard to preserving the setting of a Listed Building, "preserving" means doing "no harm".⁵⁹

Preservation does not mean no change, it specifically means no harm. *GPA:2* states that "Change to heritage assets is inevitable but it is only harmful when significance is damaged".⁶⁰ Thus, change is accepted in Historic England's guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

As part of this, setting may be a key consideration. When evaluating any harm to significance through changes to setting, this Report follows the methodology given in *GPA:3*, described above. Fundamental to this methodology is a consideration of "what matters and why".⁶¹ Of particular relevance is the checklist given on page 13 of *GPA:3*.⁶²

It should be noted that this key document also states:

"Setting is not itself a heritage asset, nor a heritage designation..."⁶³

Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage interests that contribute to this significance, through changes to setting.

With regards to changes in setting, *GPA:3* states that:

"Conserving or enhancing heritage assets by taking their settings into account need not prevent change".⁶⁴

Additionally, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require Planning Permission to be refused. This point has been clarified in the Court of Appeal.⁶⁵

Benefits

Proposals may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage interests, and hence the significance, of the assets concerned.

⁵⁹ R (Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin).

⁶⁰ Historic England, *GPA:2*, p. 9.

⁶¹ Historic England, *GPA:3*, p. 8.

⁶² Historic England, *GPA:3*, p. 13.

⁶³ Historic England, *GPA:3*, p. 4.

⁶⁴ Historic England, *GPA 3*, p. 8.

⁶⁵ Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061.



The *NPPF* (at Paragraphs 207 and 208) requires harm to a designated heritage asset to be weighed against the public benefits of the proposals.⁶⁶

Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 207 to 209.⁶⁷

The *PPG* provides further clarity on what is meant by the term 'public benefit', including how these may be derived from enhancement to the historic environment ('heritage benefits'), as follows:

***“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.*”**

Examples of heritage benefits may include:

- ***sustaining or enhancing the significance of a heritage asset and the contribution of its setting***
- ***reducing or removing risks to a heritage asset***
- ***securing the optimum viable use of a heritage asset in support of its long term conservation.”***⁶⁸

Any "heritage benefits" arising from the proposals, in line with the narrative above, will be clearly articulated in order for them to be taken into account by the decision maker.

⁶⁶ DLUHC, *NPPF*, paras. 207 and 208.

⁶⁷ Including – *Kay, R (on the application of) v Secretary of State for Housing Communities and Local Government & Anor* [2020] EWHC 2292 (Admin); DLUHC, *NPPF*, paras. 207 and 209.

⁶⁸ DLUHC, *PPG*, paragraph 020, reference ID: 18a-020-20190723.

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