

**TOWN AND COUNTRY PLANNING  
(INQUIRIES PROCEDURE)(ENGLAND)  
RULES 200**

Appeal by Broadview Energy Limited In respect of the refusal of planning permission for: Wind Farm comprising the erection of five wind turbines plus underground cabling, meteorological mast, access tracks, control building, temporary site compound and ancillary development (Includes Environmental Statement)at Spring Farm Ridge, land north of Welsh Lane between Greatworth and Helmdon

**Planning Inspectorate Ref:** APP/Z2830/A/11/2165035

**Local Authority Ref:** S/2010/1437/MAF

**Cultural Heritage Proof of Evidence:  
Annex 1**

**Heritage Policy and Methodology**

- 1.3.1. This section highlights the relevant heritage policy and national guidance, advice and methodology which was used to form the judgement that the proposed development would cause harm to heritage assets and the historic environment
- 1.3.2. Planning (Listed Buildings and Conservation Areas Act 1990)
- 1.3.3. The 1990 Act contains the primary legislation relating to the determination of planning applications relating to the historic environment.
- 1.3.4. I draw attention to Sections 16(2) and 66(1) which makes clear that impact on setting is an important consideration for decision-makers and should be taken into account when determining applications.
- 1.3.5. Section 72 reiterates this in relation to the setting of Conservation Areas
- 1.3.6. National Planning Policy Framework
- 1.3.7. The National Planning Policy Framework replaced Planning Policy Statements and Planning Policy Guidance in March 2012. Chapter 12 of the NPPF contains policy guidance relating to the historic environment.
- 1.3.8. Paragraph 129 of the NPPF advises local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by development proposals, including development affecting the setting of heritage assets.
- 1.3.9. Paragraph 132 makes clear that the significance of a heritage asset can be harmed or lost through development within its setting, and that any harm or loss requires clear and convincing justification.
- 1.3.10. Paragraph 134 makes clear that where development proposals will lead to harm or loss to a designated heritage asset that is less than substantial, the harm should be weighed against the public benefit of the proposal.
- 1.3.11. English Heritage Conservation Principles
- 1.3.12. This document sets out a framework for the sustainable management of the historic environment in England. It was developed in order to strengthen the credibility and consistency of decisions relating to development and change to the historic environment and takes account

of international conservation values such as communal and aesthetic value.

1.3.13. Principle 3 – Understanding the significance of places is vital – is particularly relevant to this proof of evidence.

1.3.14. I draw attention in particular to paragraphs 30-60 (Understanding Heritage Values). It states that the significance of a heritage asset may be made up of its historical, evidential, aesthetic and communal value.

1.3.15. I also draw attention to paragraphs 76-77 (Consider the contribution made by setting and context). It makes clear that decision-makers should have regard to the extent to which development within the setting of a heritage asset could affect its significance.

1.3.16. English Heritage Guidance: Setting of Heritage Assets

1.3.17. This document clearly and at length defines “setting” in the context of decision-making about development affecting the historic environment. It also provides a methodology to assess the impact of proposed development on setting of heritage assets. The evidence in this proof uses the definition of significance and the methodology for assessment of impact set out in this guidance document. It also acknowledges the emphasis placed by this guidance document on the importance of views toward, through, from and including heritage assets (particularly groups of heritage assets) as important components of significance.

1.3.18. English Heritage Guidance: Seeing History in the View

1.3.19. This document reiterates the need to take account of a wider context for setting, beyond that close to or around its curtilage, and provides further guidance on how to assess these wider views. This was also used when considering the impact of the proposed development.

1.3.20. English Heritage Guidance: Climate Change and the Historic Environment

1.3.21. I draw attention to the section on page 9 of this document that states that wind turbines should be “carefully sited to avoid compromising significant landscapes, or the visual setting of important sites or buildings where the integrity of that setting is an important part of that significance”.