

Issues relating to Cultural Heritage - Airfield Wind Farm Proposal

1.0 **Introduction**

1.1 The Environmental Statement refers to issues relating to cultural heritage in considerable detail. However, in the light of the comments by English Heritage in their letter dated 13 April 2006 together with the statutory tests and the national guidance on the treatment of features of cultural heritage, I have been asked to provide further advice on the issues that they have raised. I have 36 years experience as a Chartered Town Planner and have given evidence on 31 occasions at public inquiries into wind farm developments since 1992. I have also undertaken work on Environmental Statements on wind energy developments as to their planning policy, national energy policy and cultural heritage issues throughout that period.

1.2 The different categories of feature that need to be addressed in a review of cultural heritage issues are Scheduled Ancient Monuments, Listed Buildings, Conservation Areas and registered Historic Parks and Gardens all of which occur within the area for which the Zones of Visual Influence Maps have been prepared. An issue has also been raised with regard to the historic elements of landscape as regards the area south of Podington. The key factor common to all the different features is that it is the settings that are being addressed. In none of the four categories of feature are there any actually occurring within the site or affected by any ancillary works. There is however a different matter relating to archaeology in that whereas all the other categories involve sites and areas which are already known and identified, there may be buried remains yet to be discovered, and hence the advice on archaeology does extend to “monuments” that are not scheduled.

1.3 In all matters relating to the definition of setting, we need to observe firstly that setting does not have a statutory definition as such in respect of any of the four categories of feature with which we are dealing here. It may in

many cases be very confined, as for example a listed building within a street which can only be seen from short distances as a result of its physical proximity to other buildings. Setting may be concerned with views out from a feature or views towards it, or even cases where it is not actually possible to see the feature from the site of a particular development, but there are points to one side from which both may be visible.

2.0 **Scheduled Ancient Monuments or SAMs**

2.1 There is not in this case any suggestion that the development would harm the fabric of a SAM, nor that there are monuments on the site which are not scheduled but which may be harmed by the development. Paragraph 18 of PPG16 advises that:

“The desirability of preserving an ancient monument or its setting is a material consideration in determining planning application whether that monument is scheduled or unscheduled”.

Paragraph 27 then goes on to advise that there is a presumption against proposals which would have a significant impact on the setting of visible remains. It does however make it clear that the case for preservation of either remains or settings has to be assessed on a site by site basis, and that this will involve not only the intrinsic importance of the remains but also the need for the proposed development.

2.2 The English Heritage letter identified only one SAM which gave rise to concern and this is the moated Enclosure at Wood Farm (SAM 11546). In assessing the setting of a SAM, we have to be aware of a basic requirement that setting is essentially a visual perception – in other words the monument must be upstanding and thus visible above the ground

surface. One can then go on to look at other aspects of setting which can be described as:

- a) Intrinsic visual interest of the monument when viewed from other points in the area.
- b) Topographic setting – the relationship of the monument to the land forms in which it is situated, again in terms of what can be viewed.
- c) Land use setting – a crucial area which looks at the visual relationship of the monument to the land use in its surroundings and especially the extent to which this has remained unaltered over time.
- d) Group setting – the extent to which the monument has a visual relationship with other visible archaeological sites in the vicinity, both in terms of contemporaneity and changes over time.

2.3 The response of English Heritage to the effects on the setting of this SAM are very brief and appear to be based on issues of proximity rather than a wider concept of setting. I have visited the site insofar as a member of the public using the paths and bridleways is able to do so, in order to appreciate the public perception of the effects on the SAM. The reality on the ground is that there is no publicly available view of either the monument or any historical setting that it might once have enjoyed. The site appears on the OS maps as being outside and separate from Forty Acre Wood, but in recent decades it has become enveloped in trees, not just around its immediate perimeter, but on the outer limits of what appears to be the current ownership. This new outer planting of fast growing leylandii species is already providing a screen from the public rights of way around the edges of the site, which have been reinforced by the creation of new mounding along the right of way to the south of the site.

2.4 Quite apart from that, as set out in the earlier response to the Council from Nuon, the wider setting of the monument has also radically altered over the last century such that it can realistically only be assessed as being limited in its context to its immediate curtilage. The planting at Forty Acre Wood is much older as I understand that it appears on the 1892 OS map, but on the eastern side of the SAM there was an airfield constructed during the Second World War, which retains a wealth of features reflecting that use from the runways, perimeter roads and 1940s buildings to the later commercial developments which include scrap yards and the Santa Pod Raceway. The approach to the site by vehicle cannot avoid this radically altered setting from that which may have applied in medieval times, and for those who pass by the site on foot, this altered setting will be all too apparent as well. The development of the wind farm would result in a number of tall structures on the airfield and these would become part of this modern setting for the lifetime of the development – which is proposed to be for less than half of the time that the airfield has already been in existence.

2.5 I am aware that the water feature on the site is used for private fishing in limited numbers. Anyone reaching the SAM feature will have had to pass through the modern setting that already exists and they will be going to the site not because it contains a SAM in a much altered contextual setting but because they want to go fishing. Even if at times of the year it may be possible to obtain a filtered view of turbine 7 through the tree cover, which is itself still maturing, that does not in my opinion provide any planning justification for arguing that for this very limited accessibility to people, there should be some form of prohibition on the creation of anything close to the SAM which might be partially visible from it. Nor is noise a live issue . The SAM is surrounded by trees which, when the wind blows, will help mask the modest levels of noise created by an operational modern wind turbine. In addition the Raceway has meetings and testings

throughout the year which create very high levels of noise. There are also other potentially noisy activities taking place all around the airfield which affect any sense of tranquillity that might be claimed today for the SAM setting. Moving turbine 7 (which is the only one to which objection is taken by English Heritage in their letter in the context of SAMs) is not going to make any material difference to the effects on the setting of this SAM given its current context.

2.6 In this connection it is useful to look at the findings of the Inspector at the Shooters Bottom appeal in Somerset earlier this year where he had no less than 9 SAMs within a 2 km radius from the site, involving 14 different features of barrows. All were found from site visits to be in a radically altered context even though there was a wealth of remains on the Mendip Hills and major henge features as well as hill forts all in relatively close proximity to the appeal site. The Inspector did not consider that the clear visibility to and from the barrows of the wind turbine proposed there (102m to blade tip) should be assessed as amounting to such an effect on the current setting as to warrant a dismissal of the appeal.

2.7 A final point that does need to be made about the setting of SAMs is that a wind turbine is a form of development that is reversible. Unlike the modern farm buildings and the commercial developments that have taken place around the airfield, the turbines can be removed from the site at the end of its life and the scene will revert to what it is today. In the context of monuments that have been around for hundreds of years, that is a very small time frame indeed.

3.0 **Listed Buildings**

3.1 The Listed Buildings and Conservation Areas Act of 1990 sets out the duty on decision-makers as follows:

“S66 In considering whether to grant planning permission for development which affects a listed building from 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.”

Advice on the use of the term “setting” is to be found in PPG15 at 2.16 and 2.17 and I am setting out some of the key elements of it:

“2.16 ...The setting is often an essential part of the building’s character, especially if a garden or grounds have been laid out to complement its design or function. Also, the economic viability as well as the character of historic buildings may suffer and they can be robbed of much of their interest, and of the contribution they make to townscape or the countryside if they become isolated from their surroundings, eg by new traffic routes, car parks or other development.”

2.17 ...the setting of a listed building may be limited to obviously ancillary land, but may often include land some distance from it....The setting of individual listed buildings very often owes its character to the harmony produce by a particular grouping of buildings...and to the quality of the spaces created between them... A proposed high or bulky building might also affect the setting of a listed building some distance away, or alter views of a historic skyline. In some cases, setting can only be defined by a historical assessment of a building’s surroundings.”

- 3.2 In the context of listed buildings, we may again have to have regard to the original function of the building and whether it was designed with a particular setting in mind. The fact that the surroundings may change over time is also important because it is improbable in the case of the majority of listed buildings that their surroundings or the ownership of the land around them has remained unaltered over perhaps centuries except for stately homes where ownership of a large curtilage is assured. However, merely being able to see a listed building, or part of it, in a view within which the proposal also features does not mean that there should be adverse findings as a result. One has to look at the context of the view, and a useful example of how this may be addressed in the case of a wind turbine can be found in the appeal case at Shipdham in Norfolk, where a Grade 1 Church tower was only about 1.5 km away from the proposed wind turbines, but the Inspector noted that while the tower of the village church was a very distinctive feature, it did not have a significant presence outside the village, even though from part of the churchyard there were some views of the two turbines.
- 3.3 The crucial point that needs to be stressed is that the issue of the setting of listed buildings cannot be addressed without actually defining precisely what that setting is. It is not a simple matter of finding out whether you can see any part of the proposal from any part of the listed building or indeed its curtilage. If that were the proper test, then development visible from beside the tower on Glastonbury Tor would be deemed to be within its setting – and that would account for most of Somerset. Ultimately in the absence of a formal statutory definition of the term setting, we have to rely on judgment as to what the legislation seeks to achieve. If the turbine site does not and never has formed part of what might at the worst case scenario be treated as being within the setting of this or that listed building, then the tests in the legislation will have been met. If it does fall within a proper

definition of setting, then the assessment of what the effects on that setting might be have to be carried out.

3.4 A further point that needs to be noted is that in looking at effects on the setting of any feature, and especially a listed building, one is not attempting to address the views from the building or its curtilage in the context of private ownership matters. That test remains perfectly adequate in terms of the assessment of that occupier's residential amenities, but a different assessment is required for the statutory tests under the Listed Buildings Act. This is because a private occupier of a dwelling that happens to be listed does not have any elevated sensitivity merely because he or she happens to own a listed building. What is important is to address the setting of that building to see whether that setting is being adversely affected to an extent that warrants a finding of harm under the Act, rather than issues such as the views the owners can obtain from their first floor windows.

3.5 In the present case, the concerns expressed by English Heritage relate to two sites which are both listed buildings and Historic Parks and Gardens, and it is appropriate therefore to look at the assessment of effects for these two aspects combined.

4.0 **Conservation areas**

4.1 Unlike listed buildings, there is no statutory requirement in the Act that proposals must pay attention to the desirability of preserving the setting of a conservation area. However, PPG15 records the view of the Secretary of State at 4.14 that the desirability of preserving or enhancing the conservation area set out in Section 72 of the Act should also be a material consideration in the planning authority's handling of proposals which are outside the conservation area but would affect its setting or views into or out of it.

4.2 English Heritage have referred to the landscape south of Podington as having value and historical significance, but they do not do so in a claim that there is an adverse effect on the setting of the conservation area in the village. As with many villages, there is an older core and more modern development that in many directions, and especially to the south, cuts off the older core from direct association with the open countryside. The wind farm lies far enough away to the south to preclude any justifiable claims that the setting of the conservation area has been affected to any unacceptable extent.

5.0 **Historic Parks and Gardens (HPG)**

5.1 The inclusion of land within the register does not convey any additional statutory powers but paragraph 2.24 of PPG15 advises LPAs that the effect of a development on the setting of a registered site is a material consideration in the determination of a planning application.

5.2 The ES identifies as HPG a combined area of land embracing both Hinwick House and Hinwick Hall on either side of the network of roads though the village. There is a description of the effects on both parts of the designated area, and the proposed wind farm raises issues that are in part common to both the listed building and HPG aspects of these sites. They are also closely linked by the fact that in both cases the HPG is itself perfectly capable in many such cases of being the land that once formed part of, and perhaps the most critical part of, the setting of the listed buildings to which they relate. The land would have been laid out in both the present cases for example to provide open aspects from the house, views from inside principal rooms, recreation land for the owners and their guests, and perhaps privacy from intruders. The issue that often arises today remains whether the turbine(s) can be seen from land that forms part of the setting of the HPG, and here there is a quite separate issue. This is whether an HPG that is deemed to be part of the setting of the listed

building is itself accorded protection from development that forms part of its (i.e. the HPG's) own setting whatever that may be. What we have in the present case are areas that are quite extensive designated as HPGs which have a variety of different characters within them. They include not only the immediate curtilage of the listed buildings as they would have been in historic times, but also areas of open parkland that, while they may have formed a historical element of a country house, do not have any remarkable features in their own right and are not generally available for public access of any kind. The fact that a person who is able to access parts of these private areas may be able to see a wind turbine from them does not mean that there is an elevated aspect of planning concern that suggests that any such viewpoints should be given particular weight and protection in the decision-making process.

6.0 **The effects on Hinwick House and Hinwick Hall.**

6.1 I have noted the comments of English Heritage regarding these two properties and have visited the sites to assess the public viewpoints around Hinwick House. I have also visited Hinwick Hall and looked at the setting of the buildings there from a public vantage point, insofar as the public have access to the nursery and therefore pass through the car parking area in front of (to the east of) the Hall.

6.2 **Hinwick House**

6.2.1 This classical house listed Grade I is designed with its main façade to the east, and thus faces what is now the road from Podington through to Hinwick village. Given the nature of the HPG designation which surrounds the house on all four sides, it is reasonable to assume that the setting of this house was originally laid out to incorporate a variety of open views, especially to the east. The timing of the construction of the roads that now flank the House on its eastern and northern sides is not known, but the

suggestion that the ditch on the east side of the road running north to south east of the House was originally a ha-ha would imply that the nature of the relationship between the house and the parkland east of the road (within the HPG) has changed markedly over time. A ha-ha would have been dug across an area of land over which uninterrupted views were obtainable to give the impression that the open land east of the house flowed out into the open countryside beyond the ha-ha without allowing animals grazing in the parkland to enter into the land forming the immediate foreground setting of the house. If there had been a road at the time, this would have significantly affected the illusion that was being sought from the ha-ha. The ditch is itself now flanked by tree growth which has two effects. Firstly it removes the illusion of there being an interrupted area of open land from the front of the house across hundreds of metres of land and out into the further countryside. Secondly, it prevents members of the public from being able to appreciate the linkage identified by the HPG designation on the ground. English Heritage have suggested that the presence of the wind farm would compromise the ability of persons unspecified to be able to recreate the historic form of the house and gardens, but since they have not suggested that anyone is likely to be doing this it is a red herring. The reality is that the nearest turbine in line of sight across from the front of the house towards the HPG east of the road is set off at 45 degrees to the right, and even if the entire belt of roadside trees was to be removed, the location of other planting in the wider landscape well outside the HPG parkland trees prevents a realistic view of the wind farm as a damaging landscape element in views from the house front. A further feature of the HPG is that it is bisected by the road built to serve the airfield in the 1940s and which is retained today to serve the activities on the former airfield. From this road travelling north-west one begins to appreciate the nature of the parkland on either side and then encounters the house and its more formal gardens after the junction with the main road. Again on this approach the wind turbines will be behind the viewer. When travelling in the opposite direction, the fact that you are going through a HPG will not be readily apparent as the

house will be behind you and the parkland east of the road on both sides of the access road up to the airfield does not have any special qualities on its own merits; it is designated by historical association, not because there is anything outstanding about the two fields in their own right. In this context, they are less part of the setting of the House than they probably were at some time in the past, due to the subsequent road building operations that have taken place.

6.2.2 The view of the house from the south shows a clear division between the immediate gardens south of the classical southern elevation and the pasture field from which they are separated by an evergreen hedge. That pasture field provides the setting for the listed building in all the views from the south which are with those from the east the ones which show the House off to best advantage. From here, the turbines would be immediately behind the viewer and cannot intrude in the setting of the former parkland when viewed with the house. It is also the case that the rest of Hinwick village intervenes between the House, HPG and the proposed wind farm.

6.2.3 The views of the House from the north are generally seen in close proximity to the House because it is positioned in the corner of the modern road layout. The distance away from the wind farm, the close proximity of the viewer and the nature of the landscape south of the House with the wooded areas and the Hinwick village all combine to remove the risk of the wind farm intruding to any unacceptable extent on the views of the House from the north. The HPG designation overall extends north of the road as well, but again it is physically divorced from the House and although there are public footpaths that cross this field their alignment and the landscape south of the House does not change the conclusions set out above. The HPG is more tightly drawn to the west of the House, on the edge of the woodland that provides a shelter belt. This affects views into the House and its private gardens from the footpath from Hinwick village to Hall Lane Spinney and again the overall landscape elements to the south of the House

and village combine to remove any significant likelihood of an unacceptable effect on the setting of either the House or its HPG from here.

6.3 **Hinwick Hall**

6.3.1 The situation with the Hall is markedly different for two main reasons. Firstly, the Hall itself, while a Grade II* listed building, has a completely different modern setting in terms of what has been permitted to be constructed around it. The Hall also faces east but there the similarity with the House ceases. Between the Hall and the main road, and thus within the HPG, there is a range of modern office style buildings that radically change the setting of the Hall on its southern side, both as seen from the main road and also from the drive up to the Hall on its eastern side. Immediately in front of the hall, there is now a large car park which dominates the close views of the Hall for visitors to the Hall and visitors to the nursery who may be members of the general public. There are further modern buildings to the north of the Hall, together with the nursery itself. Thus while the Hall itself is a highly graded listed building, there is no possible claim that it retains its original classical setting. Views of the Hall from the surrounding roads are very limited and there are none from which there is any direct visual relationship between the proposed wind farm and the Hall. Even from the footpath to the north the present setting of the Hall is so closely defined by its modern accoutrements that having the proposed wind turbine over 2 km away to the south could not conceivably be argued as affecting either a historic setting of the building or its modern form.

6.3.2 The HPG designated around the Hall includes pasture land to the west and to the east as far as the road to Podington. The former has no public access to it and the land to the east has the public footpaths already referred to under the consideration of the House. Whatever the original function of these areas of land may have been, the wooded nature of the land between

the Hall and the road to the south, and along the road leading west precludes a close modern visual relationship between the fields and the Hall. As such, they are barely worthy of consideration as forming part of the modern setting of the hall as a listed building, and despite their formal status as part of the HPG, I do not consider that a wind farm some 2 km away across the landscape could be construed as intruding onto the setting of this land as a HPG. Indeed, the HPG here does not warrant the creation of a “setting of a setting” concept even in respect of its most closely contiguous land.

7.0 **Podington landscape**

7.1 The initial response to English Heritage on this aspect assumed that the issue was one of effect on the Podington conservation area through development nearly 2 km away from it. However, the actual comments made in the letter of 13 April do not refer to the conservation area at all and it appears to be a suggestion that the presence of earthworks (not claimed as being a SAM) and a shrunken medieval village (again not claimed as being a SAM) make this a landscape of high value. They do not actually seek to claim that it is a landscape that should be designated in some way because of the presence of such historical features, and indeed there is no such designation available in national planning advice which would seek to proscribe development such as that proposed here merely because the landscape is deemed to have historic value. Indeed, all landscapes are “historic” in the sense that they have evolved over time and English Heritage recognise this themselves in their own guidance on wind turbines in the historic environment. The key issue is whether the public recognise and appreciate features in the landscape in their historic context to such an extent that proposals for development that might appear in the same field of vision and affect that appreciation should be approached with great caution. No such situation arises here. The land is designated as being part of a wider Area of Great Landscape Value, but the policy judgements in the

absence of formal scheduling of these remains must be made on the facts of the case. The effects of the development on the AGLV are part of the overall assessment that has been made in the ES and there is nothing in Viewpoint 6 or indeed any other viewpoints that one might wish to assess along the Podington to Hinwick road that would suggest that there is a historic landscape of such significance here that the wind turbines, largely shielded by trees, would be an unacceptable new element in the view.

8. **Conclusions**

8.1 I have reviewed the material in the ES and the contents of the letter dated 13 April 2006 from English Heritage. The worst-case scenario they adopt whereby mature planting will be swept clear of the landscape to reveal the historic nature they believe exists in the Historic Parks and Gardens at Hinwick House and Hall is not a tenable approach to considering the setting of listed buildings and Historic Parks and Gardens. The approach has to be to consider the scheme for the wind farm in the context of the current situation unless there are major changes that are known and imminent. Not only that, but the wind farm is a genuinely reversible proposal that, unlike the major developments of other forms of infrastructure, will not have a lasting effect on the landscape and cultural heritage resource. A similar situation arises with the SAM at Wold Farm, where the inability of the public to be able to see the monument, let alone appreciate a historical setting for it, together with the development that has already taken place on the airfield itself mean that arguments about domination and compromise to the monument's setting are flawed.

8.2 Should the approach I have taken here as to the level of the effects not be accepted by the decision-maker, then it is instructive to look at the views of the Inspector who undertook the recent planning appeal in Mendip District. Here, too, he was faced with a situation where the 2010 targets for renewable energy were fast approaching and the County involved in

Somerset had failed to achieve a single commercial wind turbine towards the major targets that the County had been set. In the East of England we are similarly woefully short of the regional targets. In Somerset, the Inspector decided that there were significant effects on the settings of two listed buildings, one of which was a Grade I listed church rated as having one of the finest towers in the County, and which dominated the surrounding countryside. However, as he points out in his decision letter, that is not the end of the matter. He sets out in paragraph 39 his key conclusions on these topics as follows:

“Moreover in weighing the balance of issues, it is clear that the process of site selection for wind turbines in this part of the South West region is governed by a wide range of constraints, both technical and environmental. Such constraints can rarely be seamlessly reconciled. In particular the historic environment of England is all-pervasive, as is the rural environment that those who visit and live in this very attractive part of the countryside have come to enjoy. Neither can, in practice, be preserved unchanged”.

- 8.3 Thus even if the Council were to maintain the view of English Heritage that the proposal would not meet the statutory test of preserving the setting of listed buildings, they must still consider the balancing exercise in which the urgent need to secure the use of renewable energy sources has to be weighed against possible harm to such settings and indeed effects on the wider landscape as well. The English Heritage approach appears to be one of an absolute test of harm and takes no account of the task set for the planning authority in undertaking that balancing exercise as I have described. When that exercise is carried out, it is submitted that there is not such a degree of harm in terms of effects on cultural heritage settings that could warrant rejection of this application.