
FENWICK SOLAR FARM

Preliminary Environmental Information Report

**Volume III Appendix 7-1: Legislation, Policy and Guidance
(Cultural Heritage)**

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1. Introduction

1.1 Purpose of This Appendix

- 1.1.1 This Preliminary Environmental Information Report (PEIR) appendix identifies and describes the legislation, policy and supporting guidance considered relevant to the assessment of the likely significant effects of the Scheme on cultural heritage.
- 1.1.2 Legislation and policy are considered at national and local levels.
- 1.1.3 This appendix does not assess the Scheme against legislation and policy instead the purpose of considering legislation and policy is twofold:
 - a. To identify legislation and policy that could influence the sensitivity of receptors (and therefore the significance of effects) and any requirements for mitigation; and
 - b. To identify legislation and policy that could influence the methodology to be used within the PEIR assessment and/or within the Environmental Impact Assessment (EIA) which will be presented in the Environmental Statement (ES). For example, a policy may require the assessment of an impact or the use of a specific methodology.
- 1.1.4 The relevant legislation and policy will be assessed within the Planning Statement. The following sections identify and describe the legislation, policy and supporting guidance considered specifically relevant to the cultural heritage assessment.

2. National Legislation, Policy and Guidance

2.1.1 Legislation, planning policy and guidance relevant to Cultural Heritage and pertinent to the Scheme comprises:

2.2 Legislation

2.2.1 Regulation 5(2)(d) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Ref. 1) requires that the EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the likely significant effects of the Scheme on Cultural Heritage.

2.2.2 The Infrastructure Planning (Decisions) Regulations 2010 (Ref. 1) sets out the duties of the Secretary of State in the Development Consent Order (DCO) process which include having regard to the desirability of:

- a. Preserving listed buildings, their setting or any features of special architectural or historic interest which they possess;
- b. Preserving or enhancing the character or appearance of conservation areas; and
- c. Preserving scheduled monuments and their settings.

2.2.3 The Planning (Listed Buildings and Conservation Areas) Act 1990 (Ref. 2) (excluding normal planning procedures, which are disapplied by the DCO, which if granted, would encompass all of the normal consents) requires the Secretary of State to hold a list of buildings of special architectural or historical interest, which are accorded statutory protection. In addition, it expects local planning authorities to designate conservations which are parts of their area considered to be "areas of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance and design."

2.2.4 The Ancient Monuments and Archaeological Areas Act 1979 (as amended) (Ref. 3) (excluding normal planning procedures, which are disapplied by the DCO, which if granted, would encompass all of the normal consents) sets out that sites assessed to be of national importance may be included within the Schedule of Monuments. These sites are afforded statutory protection and Scheduled Monument Consent is required before any works are carried out which would have the effect of demolishing, destroying, damaging, removing, repairing, altering, adding to, flooding or covering up a Scheduled Ancient Monument. This Act also provides for the designation of areas of archaeological interest in which statutory provisions for access to construction sites for the purpose of carrying out archaeological works apply.

2.2.5 The Hedgerow Regulations 1997 (Ref. 18), made under Section 97 of the Environment Act 1995, sets out the requirements for the protection of 'important' hedgerows through legislative mechanisms of the National Planning Policy Framework (NPPF) and local planning authorities. The Regulations define a hedgerow as 'important' if it has existed for at least 30 years and, for the purposes of this assessment, if it, or the hedgerows with which it is a stretch, satisfies at least one other criterion identified in Schedule 1 Part II pertaining to archaeology and history. These criteria include the following:

- a. The hedgerow marks the boundary, or part of the boundary, of at least one historic parish or township predating 1850;
 - b. The hedgerow incorporates an archaeological feature which is either under scheduled protection as per the 1979 Act already discussed, or which has been recorded as a historic monument prior to the Regulations taking effect on 27 March 1997;
 - c. The hedgerow marks the boundary of a pre-1600 AD estate or manor recorded prior to 27 March 1997 or is visibly related to any building or other feature of such an estate or manor; or
 - d. The hedgerow is recorded in a document held at a Record Office on 27 March 1997 as an integral part of a field system pre-dating the Enclosure Acts; and
 - e. The hedgerow is part of, or visibly related to, any building or other feature associated with such a system, and that system is either substantially complete or recorded as being a key landscape characteristic by the local planning authority prior to 27 March 1997.
- 2.2.6 Other criteria relating to wildlife and landscape are set out in Schedule 1 Part II of the regulation, but these are not within the scope of this cultural heritage assessment.

2.3 Policy

National Policy Statements

- 2.3.1 The National Policy Statements (NPS) set out the Government's energy policy, the need for new infrastructure and guidance for determining an application for a DCO. The NPSs include specific criteria and issues which should be covered by applicants in their assessments of the effects of their scheme, and how the decision maker should consider these impacts. This assessment takes account of the following NPSs:
- a. NPS EN1 (Ref. 4) with particular reference to Section 5.9 in relation to the significance, impact and recording of the historic environment;
 - b. NPS EN-3 (Ref. 5) with reference to Section 3.10 Solar PV Generation (including the impacts identified in paragraphs 3.10.98 to 3.10.110 and 3.10.151 and the mitigation considerations in paragraphs 3.10.128 to 3.10.129; and
 - c. NPS EN-5 (Ref. 6) with reference to Paragraph 2.2.5 and the desirability of preserving sites, buildings and objects of architectural, historic or archaeological interest, and also Paragraph 2.11.14 which highlights the potential impacts to archaeological sites from underground cables.
- 2.3.2 The relevant NPS requirements, together with an indication of where in the PEIR (or ES) the information provided to address these requirements, are (or will be) provided in Table 2-1.

Table 2-1: NPS requirements relevant to Cultural Heritage

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
NPS EN-1		
Paragraph 5.9.7	The Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either through the development plan making process by plan-making bodies, including ‘local listing’, or through the application, examination and decision making process). This is on the basis of clear evidence that such heritage assets have a significance that merits consideration in that process, even though those assets are of lesser significance than designated heritage assets.	A description of the value (heritage significance) of heritage assets, including the contribution to value made by setting, is within the desk-based assessment is presented in PEIR Volume III Appendix 7-2: Cultural Heritage Gazetteer of Heritage Assets , and is also within PEIR Volume I Chapter 7: Cultural Heritage . Data sources are stated in Section 7.4 of PEIR Volume I Chapter 7: Cultural Heritage and include reference to the relevant local authority Historic Environment Record.
Paragraph 5.9.9	The applicant should undertake an assessment of any likely significant heritage impacts of the proposed development as part of the EIA and describe these in the ES (see Section 4.2). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project	Section 7.8 of PEIR Volume I Chapter 7: Cultural Heritage , sets out a preliminary assessment of the likely effects to above ground and below ground heritage assets.

Relevant NPS Paragraph Reference **Requirement of the NPS**

Location of Information Provided to Address This

Paragraph 5.9.10	As part of the ES the applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the applicant should have consulted the relevant Historic Environment Record 232 (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.	A description of the value (heritage significance) of heritage assets, including the contribution to value made by setting, is within the desk-based assessment is presented in PEIR Volume III Appendix 7-2: Cultural Heritage Gazetteer of Heritage Assets , and is also within PEIR Volume I Chapter 7: Cultural Heritage . Data sources are stated in Section 7.4 of PEIR Volume I Chapter 7: Cultural Heritage and include reference to the relevant local authority Historic Environment Record
Paragraph 5.9.11	Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.	A desk-based assessment is presented in PEIR Volume III Appendix 7-2: Cultural Heritage Gazetteer of Heritage Assets . Field evaluation comprising geophysical survey has been agreed with the relevant archaeology officer at South Yorkshire Archaeology Service who are the archaeological advisors to the relevant planning authority. The results of the field evaluation will inform further phases of evaluation such as trial trenching and the impact assessment process and will be detailed in the ES.

Relevant NPS Requirement of the NPS Paragraph Reference

Location of Information Provided to Address This

Paragraph 5.9.12	<p>The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent and detail of these studies will be proportionate to the significance of the heritage asset affected</p>	<p>A preliminary assessment of the impact of the Scheme on the value (heritage significance) of heritage assets is discussed in Section 7.8 of PEIR Volume I Chapter 7: Cultural Heritage. The PEIR acknowledges that the ES will consider impacts arising from sound, noise, vibration and lighting.</p>
Paragraph 5.9.13	<p>The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none">a. enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affectedb. considering where required the development of archive capacity which could deliver significant public benefits considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.	<p>Impacts to designated heritage assets have been avoided through design, as set out in Section 7.7 of PEIR Volume I Chapter 7: Cultural Heritage.</p> <p>A preliminary assessment of the impact of the Scheme on the value (heritage significance) of heritage assets is discussed in Section 7.9 of PEIR Volume I Chapter 7: Cultural Heritage.</p>

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
Paragraph 5.9.14	Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	A preliminary assessment of the impact of the Scheme on the value (heritage significance) of heritage assets is discussed in Section 7.8 of PEIR Volume I Chapter 7: Cultural Heritage . The PEIR acknowledges that impacts can be sustained by physical alteration, or by change to setting, and can be temporary or permanent.
Paragraph 5.9.15	Applicants should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably	Impacts to designated heritage assets have been avoided through design, as set out in Section 7.7 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 5.9.22	In considering the impact of a proposed development on any heritage assets, the Secretary of State should consider the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal	Impacts to designated heritage assets have been avoided through design, as set out in Section 7.7 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 5.9.25	When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to	Impacts to designated heritage assets have been avoided through design, as set out in Section 7.7 of PEIR Volume I Chapter 7: Cultural Heritage .

Relevant NPS Paragraph Reference **Requirement of the NPS**

Location of Information Provided to Address This

	substantial harm, total loss, or less than substantial harm to its significance.	
Paragraph 5.9.26	The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.	Impacts to designated heritage assets have been avoided through design, as set out in Section 7.7 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 5.9.27	Substantial harm to or loss of significance of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional.	Impacts to designated heritage assets have been avoided through design, as set out in Section 7.7 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 5.9.28	Substantial harm to or loss of significance of assets of the highest significance, including 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.	Impacts to designated heritage assets have been avoided through design, as set out in Section 7.7 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 5.9.29	Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to, or loss of, significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the following apply:	Impacts to designated heritage assets have been avoided through design, as set out in Section 7.7 of PEIR Volume I Chapter 7: Cultural Heritage .

Relevant NPS Paragraph Reference

Location of Information Provided to Address This

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
	<ul style="list-style-type: none"> a. the nature of the heritage asset prevents all reasonable uses of the site; b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d. the harm or loss is outweighed by the benefit of bringing the site back into use. 	
Paragraph 5.9.30	Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use.	Impacts to designated heritage assets have been avoided through design, as set out in Section 7.7 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 5.9.31	In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset	A preliminary assessment of the impact of the Scheme on the value (heritage significance) of heritage assets is discussed in Section 7.8 of PEIR Volume I Chapter 7: Cultural Heritage . Field evaluation surveys are currently underway to identify the location of previously unrecorded archaeological sites in order to minimise or avoid impacts, where feasible.
Paragraph 5.9.32	Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its	The Scheme will not result in the loss of a building (or other element) which makes a positive contribution to

Relevant NPS Paragraph Reference **Requirement of the NPS**

Location of Information Provided to Address This

	<p>significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm or less than substantial harm under paragraph 5.9.29 or less than substantial harm under paragraph 5.9.30, as appropriate, considering the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.</p>	<p>the significance of a Conservation Area or World Heritage Site.</p>
<p>Paragraph 5.9.33</p>	<p>Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the Secretary of State should not take its deteriorated state into account in any decision</p>	<p>A preliminary assessment of the impact of the Scheme on the value (heritage significance) of heritage assets is discussed in Section 7.8 of PEIR Volume I Chapter 7: Cultural Heritage.</p>
<p>Paragraph 5.9.34</p>	<p>When considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the</p>	<p>An assessment of the impact to heritage assets, including impacts through potential changes to components of setting that contribute to heritage significance, is included in Section 7.8 of PEIR Volume I Chapter 7: Cultural Heritage.</p>

Relevant NPS Requirement of the NPS Paragraph Reference

Location of Information Provided to Address This

greater the benefits that will be needed to justify approval.

NPS EN-3

Paragraph 3.10.98	The impacts of solar PV developments on the historic environment will require expert assessment in most cases and may have effect both above and below ground.	An assessment of the impact to below ground archaeological remains and above ground heritage assets is included in Section 7.8 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 3.10.99	Above ground impacts may include the effects on the setting of Listed Buildings and other designated heritage assets as well as on Historic Landscape Character.	An assessment of the impact to designated heritage assets, including impacts through potential changes to components of setting that contribute to their heritage significance, is included in Section 7.8 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 3.10.100	Below ground impacts, although generally limited, may include direct impacts on archaeological deposits through ground disturbance associated with trenching, cabling, foundations, fencing, temporary haul routes etc.	An assessment of potential permanent impacts to below ground archaeological remains as a result of their physical removal is included in Section 7.8 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 3.10.101	Equally solar PV developments may have a positive effect, for example archaeological assets may be protected by a solar PV farm as the site is removed from regular ploughing and shoes or low-level piling is stipulated.	Current embedded mitigation and a commitment to explore additional embedded mitigation as the design evolves and the results of archaeological field surveys are returned is set out in Section 7.7 of PEIR Volume I Chapter 7: Cultural Heritage . This includes opportunities to design around locations of heritage

Relevant NPS Requirement of the NPS Paragraph Reference

Location of Information Provided to Address This

		assets to preserve them in situ, as set out in Section 7.9 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 3.10.103	Applicant assessments should be informed by information from Historic Environment Records (HERs) or the local authority.	The HER data for the relevant local planning authorities areas has been obtained, as detailed in Section 7.4 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 3.10.104	Where a site on which development is proposed includes, or has the potential to, include heritage assets with archaeological interest, the applicant should submit an appropriate desk-based assessment and, where necessary, a field evaluation. These should be carried out, using expertise where necessary and in consultation with the local planning authority, and should identify archaeological study areas and propose appropriate schemes of investigation, and design measures, to ensure the protection of relevant heritage assets	PEIR Volume I Chapter 7: Cultural Heritage is supported by desk-based assessment, presented as PEIR Volume III Appendix 7-2: Cultural Heritage Gazetteer of Heritage Assets . Field evaluation surveys are ongoing and will be submitted with the ES.
Paragraph 3.10.105	In some instances, field studies may include investigative work (and may include trial trenching beyond the boundary of the proposed site) to assess the impacts of any ground disturbance, such as proposed cabling, substation foundations or mounting supports for solar panels on archaeological assets.	The scope of trial trenching will be informed by the results of the geophysical survey and will be agreed with the relevant local authority archaeology officer, as set out in Section 7.9 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 3.10.106	The extent of investigative work should be proportionate to the sensitivity of, and extent of proposed ground disturbance in, the associated Study Area	The scope of trial trenching will be informed by the results of the geophysical survey, taking into account the extent of potential Scheme impact, and will be agreed

Relevant NPS Paragraph Reference **Requirement of the NPS**

Location of Information Provided to Address This

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
Paragraph 3.10.107	Applicants should take account of the results of historic environment assessments in their design proposal	with the relevant local authority archaeology officer, as set out in Section 7.9 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 3.10.108	Applicants should consider what steps can be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting.	A commitment to explore additional embedded mitigation as the design evolves and the results of archaeological field surveys are returned is set out in Section 7.7 of PEIR Volume I Chapter 7: Cultural Heritage . This includes opportunities to design around locations of heritage assets to preserve them in situ, as set out in Section 7.9 of PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 3.10.109	As the significance of a heritage asset derives not only from its physical presence but also from its setting, careful consideration should be given to the impact of large-scale solar farms which depending on their scale, design and prominence, may cause substantial harm to the significance of the asset.	An assessment of the impact to heritage assets, including impacts through potential changes to components of setting that contribute to their heritage significance, is included in Section 7.8 of PEIR Volume I Chapter 7: Cultural Heritage and has informed the embedded and additional mitigation measures within PEIR Volume I Chapter 7: Cultural Heritage .
Paragraph 3.10.109	As the significance of a heritage asset derives not only from its physical presence but also from its setting, careful consideration should be given to the impact of large-scale solar farms which depending on their scale, design and prominence, may cause substantial harm to the significance of the asset.	An assessment of the impact to the heritage significance of heritage assets, including impacts through potential changes to components of setting that contribute to their heritage significance, is included in Section 7.8 of PEIR Volume I Chapter 7: Cultural Heritage .

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
Paragraph 3.10.110	Applicants may need to include visualisations to demonstrate the effects of a proposed solar farm on the setting of heritage assets.	Visualisations to support the impact assessment of cultural heritage will be agreed with statutory consultees, Historic England and local authority heritage officers, through consultation. If required, these will be submitted with the ES.
Paragraph 3.10.128	The ability of the applicants to microsite specific elements of the proposed development during the construction phase should be an important consideration by the Secretary of State when assessing the risk of damage to archaeology.	Opportunities to avoid cultural heritage assets through micro siting will be investigated as the design process evolves and adopted as embedded mitigation in the ES, where feasible.
Paragraph 3.10.129	Where requested by the applicant, the Secretary of State should consider granting consents which allow for the micro siting within a specified tolerance of elements of the permitted infrastructure so that precise locations can be amended during the construction phase if unforeseen circumstances, such as the discovery of previously unknown archaeology, arise.	The approach to change to the locations of some elements of the Scheme during construction in response to unexpected archaeological discoveries will be set out in the detailed Construction Environmental Management Plan (CEMP) the delivery of which will be secured through DCO Requirement. A commitment to the approach being confirmed prior to construction will be included in the Framework CEMP.
Paragraph 3.10.151	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	Potential impacts to heritage assets during operation and maintenance, decommissioning and extending beyond the decommissioning phase, such as tree planting as part of embedded mitigation, are assessed in Section 7.8 of PEIR Volume I Chapter 7: Cultural Heritage , and will be updated for the ES.

National Planning Policy Framework

- 2.3.3 The National Planning Policy Framework (NPPF) (Ref. 7) sets out the Government's planning policies for England and how these should be applied to contribute to the achievement of sustainable development. Section 16 of the NPPF deals specifically with the historic environment. Where changes are proposed, the NPPF sets out a clear framework to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance.
- 2.3.4 The relevant NPPF paragraphs, together with an indication of where in the PEIR the information is provided to address these requirements, are provided in Table 2-2.

Table 2-2: NPPF Requirements Relevant to Cultural Heritage

Relevant NPPF Paragraph Reference	Requirement of the NPPF	Location of Information Provided to Address This
Paragraph 200	<p>In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed 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.</p>	<p>The significance of heritage assets, including contribution to significance made by their setting, is set out in PEIR Volume III Appendix 7-2: Cultural Heritage Gazetteer of Heritage Assets. Data sources used for this PEI Report are set out in Section 7.4 of PEIR Volume I Chapter 7: Cultural Heritage and include the relevant local authority historic environment record. Field evaluation comprising geophysical survey has been agreed with the relevant archaeology officer at South Yorkshire Archaeology Service who are the archaeological advisors to the relevant planning authority. The results of the field evaluation will inform further phases of evaluation such as trial trenching and the impact assessment process and will be detailed in the ES.</p>
Paragraph 201	<p>Paragraph 201 includes a requirement on local planning authorities, having assessed the particular significance of any heritage asset that may be affected by a proposal, including development affecting its setting, to take this into account when considering the impact of a proposal on a heritage asset.</p>	<p>A description of the significance of heritage assets, including a description of their setting and how this contributes to the experience and significance of the asset, is discussed in the Desk-based Assessment, PEIR Volume III Appendix 7-2: Cultural Heritage Gazetteer of Heritage Assets, and a preliminary assessment of the impact of the Scheme on the significance, including though changes to setting, of</p>

Relevant NPPF Paragraph Reference	Requirement of the NPPF	Location of Information Provided to Address This
Paragraph 205	<p>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.</p>	<p>heritage assets is discussed in Section 7.8 of PEIR Volume I Chapter 7: Cultural Heritage.</p>
Paragraph 206	<p>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:</p> <ul style="list-style-type: none"> a. grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b. assets of the highest significant, 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. 	<p>Section 7.4: Assessment Method of PEIR Volume I Chapter 7: Cultural Heritage, acknowledges this requirement of the NPPF and also acknowledges that impacts affecting the value of heritage assets are considered in terms of harm, and that there is a requirement to determine whether the level of harm amounts to ‘substantial harm’ or ‘less than substantial harm’.</p> <p>Section 7.7: Embedded Mitigation of PEIR Volume I Chapter 7: Cultural Heritage, acknowledges that designated heritage assets have been avoided through careful design of the Scheme. This includes avoiding development within the setting of a designated heritage asset where this makes an important contribution to its heritage value.</p>
Paragraph 207	<p>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</p>	<p>Section 7.7: Embedded Mitigation of PEIR Volume I Chapter 7: Cultural Heritage, acknowledges that harm to designated heritage assets has been avoided through careful design of the Scheme. This includes avoiding development within the setting of a</p>

Relevant NPPF Paragraph Reference	Requirement of the NPPF	Location of Information Provided to Address This
	<p>substantial public benefits that outweigh that harm or loss, or all of the following apply:</p> <ol style="list-style-type: none"> a. the nature of the heritage asset prevents all reasonable uses of the site; b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d. the harm or loss is outweighed by the benefit of bringing the site back into use. 	<p>designated heritage asset where this makes an important contribution to its heritage value.</p>
Paragraph 208	<p>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.</p>	<p>Section 7.7: Embedded Mitigation of PEIR Volume I Chapter 7: Cultural Heritage, acknowledges that harm to designated heritage assets has been avoided through careful design of the Scheme. This includes avoiding development within the setting of a designated heritage asset where this makes an important contribution to its heritage value.</p>
Paragraph 211	<p>Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.</p>	<p>PEIR Volume I Chapter 7: Cultural Heritage, acknowledges that fieldwork survey is being carried out for the Scheme and the results will be submitted with the DCO application and, ultimately, deposited with the relevant local authority Historic Environment Record.</p>

2.4 Guidance

2.4.1 The following guidance is of relevance for cultural heritage and a summary is provided below:

- a. Planning Practice Guidance, Conserving and enhancing the historic environment (Ref. 9);
- b. Historic Environment Good Practice Advice in Planning Note 2. Managing Significance in Decision Taking in the Historic Environment. Historic England (Ref. 10);
- c. Historic Environment Good Practice Advice in Planning Note 3. The Setting of Heritage Assets. Historic England (Ref. 11);
- d. Historic Environment Statement of Heritage Significance: Analysing Significance in Heritage Assets. Historic England Advice Note 12. Historic England (Ref. 12);
- e. Historic England Advice Note 15 Commercial Renewable Energy Development and the Historic Environment (Ref. 13);
- f. Chartered Institute for Archaeologists (CIfA) Standard and Guidance for Historic Environment Desk-Based Assessment (Ref. 14);
- g. CIfA Code of Conduct (Ref. 15);
- h. Institute of Environmental Management and Assessment (IEMA), the Institute of Historic Building Conservation (IHBC) and the Chartered Institute for Archaeologists (CIfA), Principles of Cultural Heritage Impact Assessment in the UK (Ref. 16); and
- i. South Yorkshire Archaeological Service (SYAS) Standards and Guidance for Archaeological Desk-Based Assessments and Building Appraisals (Ref. 17).

Planning Practice Guidance

2.4.2 The Planning Practice Guidance (PPG) provides further advice and guidance that expands the policy outlined in the NPPF. It expands on terms such as 'significance' and its importance in decision making. The PPG states that in relation to setting a thorough assessment of the impact on setting needs to take in to account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it (Paragraph 013; Reference ID: 18a-013-20190723).

2.4.3 The PPG discusses how to assess if there is substantial harm. It states that what matters in assessing if a proposal causes substantial harm is the impact on the significance of the asset. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed (Paragraph 018; Reference ID: 18a-018-20190723).

2.4.4 The NPPF indicates that the degree of harm should be considered alongside any public benefits that can be delivered by development. The PPG states that these benefits should flow from the proposed development and should be of a nature and scale to be of benefit to the public and not just a private benefit and would include securing the optimum viable use of an asset in

support of its long-term conservation (paragraph 020; Reference ID: 18a-020-20190723).

Historic England Guidance

- 2.4.5 Good Practice Advice (GPA) Planning Note 2 emphasises the importance of having a knowledge and understanding of the significance of heritage assets likely to be affected by the development and that the ‘first step for all applicants is to understand the significance of any affected heritage asset and, if relevant the contribution of its setting to its significance’.
- 2.4.6 GPA Planning Note 3 provides detail on the setting of heritage assets and provides general advice on understanding setting, and how it may contribute to the significance of heritage assets and allow that significance to be appreciated. The document provides advice on how views contribute to setting and provides a broad approach to assessing the impact of a Scheme on the setting of heritage assets, by outlining a series of steps that can be applied proportionately to the complexity of the case.
- 2.4.7 Advice Note 12 outlines a recommended approach to assessing the significance of heritage assets in line with the requirements of NPPF. It includes a suggested reporting structure for a ‘Statement of Heritage Significance’, as well as guidance on creating a statement that is proportionate to the asset’s significance (heritage value) and the potential degree of impact of a Scheme. The Advice Note also offers an interpretation of the various forms of heritage interest that an asset can possess, i.e. its archaeological, architectural, artistic and historic interest, based on the terms provided in the NPPF Glossary.
- 2.4.8 Advice Note 15 explains how the historic environment should be taken fully into account during the planning and delivery of commercial renewable energy developments in line with national policy. It reiterates the content of other advice notes in terms of understanding the significance of assets and the contribution that their setting makes to significance in order to assess impact and consider ways to minimise harm. It encourages the use of photomontages to inform assessments of potential impact on the setting of heritage assets, but also notes how Landscape and Visual Impact Assessment is different from an assessment of setting. In relation to proposed solar farm developments the guidance highlights the potential for impacts to below ground archaeological assets and impacts through change to the setting of heritage assets. It notes that mitigation measures such as consideration of different foundation designs and technologies, and the use of tree and hedge planting to screen the development should be considered.

Chartered Institute for Archaeologists

- 2.4.9 The baseline assessment set out in **PEIR Volume III Appendix 7-2: Cultural Heritage Gazetteer of Heritage Assets** has been undertaken in accordance with guidance published by the Chartered Institute for Archaeologists (CIfA), specifically the Standard and Guidance for Historic Environment Desk-Based Assessment.

Institute of Environmental Management and Assessment Principles of Cultural Heritage Assessment in the UK

- 2.4.10 Principles of Cultural Heritage Impact Assessment in the UK is a guide to good practice in cultural heritage impact assessment published jointly by the Institute of Environmental Management and Assessment (IEMA), the Institute of Historic Building Conservation and the ClfA. The document provides guidance on understanding cultural heritage assets and evaluating the consequences of change.
- 2.4.11 Understanding cultural heritage assets is split into three stages: Description, Significance and Importance. The description arrives at a factual statement that establishes the nature of the asset. The heritage values of the asset are then analysed (the guidance stresses that these include but are not limited to aesthetic, historic, scientific, social or spiritual values) and a statement of cultural significance given. Finally, the importance of the asset is assessed, and a conclusion drawn as to the level of protection that the asset merits in planning policy and cultural heritage legislation.

3. Local Policy

3.1 Policy

3.1.1 The following local policies from the Doncaster Local Plan 2015 – 2035 (Ref. 8), adopted in September 2021, are of relevance to the cultural heritage assessment:

- a. Policy 33 – Landscape states that “Proposals will be supported that take account of the quality, local distinctiveness and the sensitivity to change of distinctive landscape character areas and individual landscape features”;
- b. Policy 34 – Valuing our Historic Environment sets out that “Proposals and initiatives will be supported which preserve, and where appropriate, enhance the heritage significance and setting of the Borough’s heritage assets (including locally identified undesignated heritage assets), and especially those elements which contribute to the distinct identity of the Borough. It also sets out that proposals and initiatives will be supported which improve the accessibility and enjoyment of the Borough’s existing and potential local, regional and national historic attractions in keeping with their heritage significance”. Finally, it sets out that “Proposals will be supported which identify, promote and secure the long-term future of Doncaster’s heritage assets”;
- c. Policy 35 – Understanding and Recording the Historic Environment sets out that “Proposals that affect known or potential heritage assets will require the provision of a heritage statement (or its equivalent) that includes sufficient information to gain an understanding of the potential impact that the proposals will have on the significance of any heritage assets or historic environment to be affected, and for heritage sites with archaeological interest, at least a desk-based assessment and, where appropriate, the results of a field evaluation”. It goes on to say “In exceptional circumstances where harm could be justified, detailed investigation and recording will be required to an agreed standard in advance of any alteration, demolition or groundwork to ensure that an understanding of the affected heritage asset is gained and that knowledge is widely publicised including deposition of the site archive with the relevant archive repository and deposition of a report on the results with the South Yorkshire Sits and Monuments Record (Historic Environment Record)”;
- d. Policy 36 – Listed Buildings expands on the requirements for proposals affecting listed buildings or their settings and should be applied alongside Policy 35, which requires that proposals should be informed by an understanding of the heritage significance of the listed building. Understanding the heritage significance of a listed building includes assessing the contribution made by its setting;
- e. Policy 37 – Conservation Areas states that “Proposals will be expected to preserve and/or enhance the character and appearance of a conservation area”;

- f. Policy 39 – Development Affecting Archaeology expands on the requirements in Policy 35 and sets out that “Development that would result in harm to the significance of a scheduled monument or other nationally important archaeological assets will not be permitted other than in exceptional circumstances. Development affecting other archaeological assets will need to demonstrate how any benefits will outweigh harm to the site. When development affecting such sites is justifiable, the Council will seek to ensure preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for appropriate investigation and recording including excavation in accordance with Policy 35”;
- g. Policy 40 – Buildings or Structures of Local Historic Interest establishes the policy framework for assessing development proposals affecting buildings that meet the criteria of buildings of local historic interest, identified either as part of a local list or as part of the planning application process; and
- h. Policy 41 – Character and Local Distinctiveness sets out that proposals should respect and enhance identity, character and local distinctiveness.

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