

Land at The Old Rectory, Oswaldkirk

Heritage Statement

March 2019



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Land at The Old Rectory, Oswaldkirk

Heritage Statement

EXECUTIVE SUMMARY

Site Name: Land at The Old Rectory, Oswaldkirk

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Humble Heritage Ltd is a professional built heritage and archaeological consultancy operating in the specialised area of the historic environment. The practice has extensive experience of historical and archaeological research, assessing significance and heritage impact and preparing Heritage Statements, archaeological desk-based assessments, statements of significance, conservation management plans and so forth. Humble Heritage Ltd provides heritage and archaeological advice on behalf of a wide variety of clients across much of England. The Institute of Historic Building Conservation (the IHBC) recognises Humble Heritage as a professional Historic Environment Service Provider.

Humble Heritage Ltd undertook this Heritage Statement during March 2019 on behalf of the applicant, having been appointed to advise on the project in February 2019. This assessment is intended to accompany the application for planning permission for the installation of two rows of ground-based solar panels in a field to the south of The Old Rectory, Oswaldkirk.

This report provides a summary of the historical development of the application site and analyses the contribution that the site makes to the heritage significance of the Oswaldkirk Conservation Area, the boundary of which is close to the application site and within whose setting the site is located. It also analyses the site's contribution to the setting and the heritage significance of two nearby grade II* and three grade II listed buildings. It then assesses the impact of the proposed solar panels on the heritage assets through changes to their setting.

The report finds that the proposed solar panels will result in a negligible degree of change to the setting of the Oswaldkirk Conservation Area. There will be a very small change, restricted to a relatively unobtrusive piece of land, to the settings of three of the five nearby listed buildings, with the other two listed building's settings unaffected. Because of the small size of the proposed change to the settings of the heritage assets and its reversible, temporary nature, and provided that suitable screening is used, there will be no harm to the conservation area and a negligible level of harm to the three listed buildings.

The scheme will result in public benefit, and the National Planning Policy Framework (NPPF) states that '*moving to a low carbon economy*' is part of the environmental objective of '*sustainable development*'. The

NPPF encourages local authorities to recognise that even small-scale renewable energy projects provide a valuable contribution to cutting greenhouse gas emissions, and states that such projects should be approved if their impacts are, or can be made, acceptable.

It is considered that the public benefit of the proposal outweighs the negligible level of harm that will be caused to the three affected listed buildings (having given suitable weight to their conservation).

The proposed development is therefore in accord with the heritage provisions of the National Planning Policy Framework and the relevant sections of the 1990 Planning (Listed Buildings and Conservation Areas) Act. There is thus no heritage-related reason for refusal and the application should be approved in line with Paragraph 191 of the NPPF which states that local planning authorities should take account of '*the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation*'.

INTRODUCTION AND METHODOLOGY

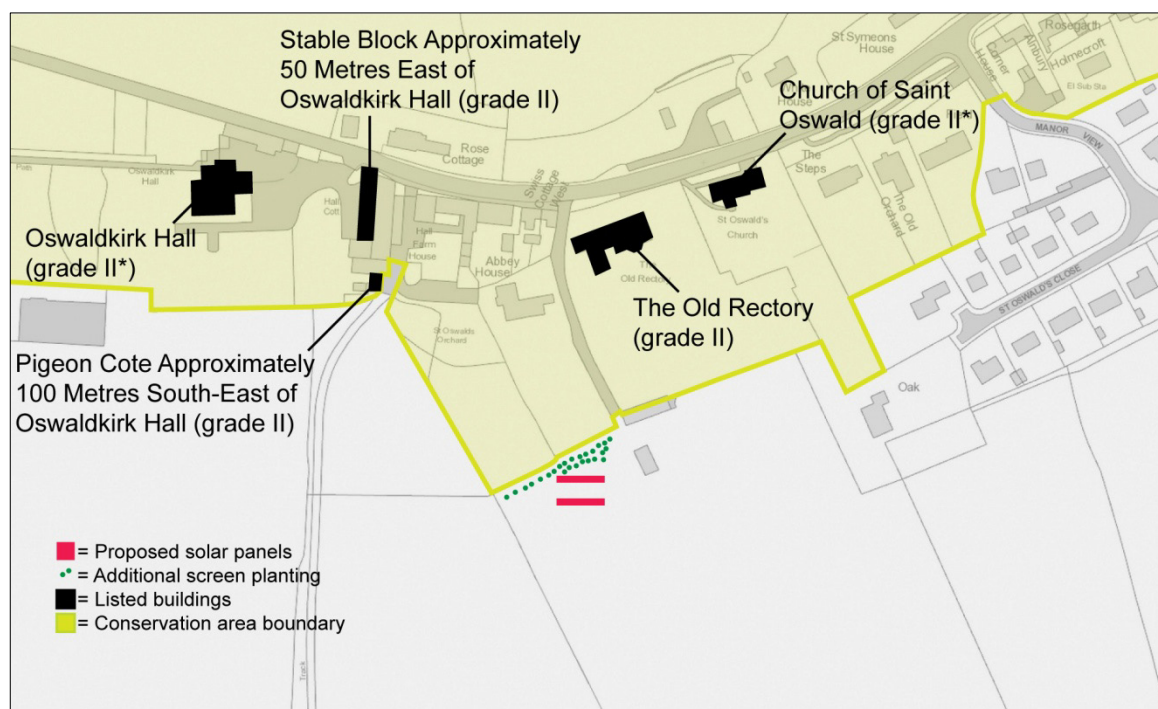
- 1.01 This Heritage Statement has been prepared by Dave Pinnock (BA, MA) of Humble Heritage Ltd, on behalf of the applicant and was produced during March 2019, Humble Heritage having been retained in an advisory capacity from February 2019. This assessment considers the land where the proposed solar panels would be erected and the potential heritage impact on the nearby designated heritage assets.
- 1.02 The aims of this report are to:
- Inform the applicant with respect to the potential heritage implications of the proposal;
 - To provide a tool to help the planning authority to understand the development of the site, the contribution that it makes to the significance of the nearby designated heritage assets, and the impact on them of the proposed development;
 - To satisfy the requirement of paragraph 189 of the National Planning Policy Framework, which indicates that applicants should provide a description of the significance of any heritage assets affected by their proposals (including any contribution made by their setting).
- 1.03 This assessment has been informed by a site visit in early March 2019, which included an examination of potential viewpoints looking towards the conservation area from the surrounding landscape, analysis of historic maps of the area, a review of known information about the site, and additional research. A list of sources consulted is included at the end of this report.

HERITAGE PLANNING CONTEXT

General

- 2.01 The proposed site of the solar panels is next to two existing outbuildings in a field to the south of The Old Rectory. The application site is close to the boundary of the Oswaldkirk Conservation Area. A number of '*important views*' identified in the Conservation Area Appraisal look south from Oswaldkirk's Main Street. The application site is not visible from any of these vantage points.
- 2.02 The application site is close to five listed buildings:
- Oswaldkirk Hall (grade II*)

- Stable Block Approximately 50 Metres East of Oswaldkirk Hall (grade II)
- Pigeon Cote Approximately 100 Metres South-East of Oswaldkirk Hall (grade II)
- The Old Rectory (grade II)
- Church of Saint Oswald (grade II*).



Site location (in red) with nearby listed buildings and the conservation area boundary

Legislation, planning policy and guidance

- 2.03 At the heart of the National Planning Policy Framework (NPPF) is a strong presumption in favour of sustainable development (paragraphs 7, 10-11, 38). The purpose of this Heritage Statement is to satisfy paragraph 189 of the National Planning Policy Framework which states that *'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contributions made by their setting'* and to assess whether the proposed development meets the test of sustainable development as regards its impact on our heritage.
- 2.04 Listed buildings are protected in law by the 1990 Planning (Listed Buildings and Conservation Areas) Act, Sections 16(2) and 66(1), the latter of which states, *'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.'*
- 2.05 The statutory protection for conservation areas is laid out in the 1990 Planning (Listed Buildings and Conservation Areas) Act. The Act defines a conservation area as an area identified by the Local Planning Authority as having *'special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'* (s69(1)(a)). It is recognised in national planning guidance that this does not mean that every aspect of a conservation area's character or appearance is to be preserved or enhanced: *'Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance.'* (NPPF para.138). Development should conserve or enhance those elements of a conservation area's character or appearance that contribute to its special architectural or historic interest.

- 2.06 The importance of identifying the significance of a heritage asset is highlighted in the NPPF as this is essential in informing future change that affects heritage assets. The aim of heritage conservation is to sensitively manage change to ensure that significance is protected, and also revealed, reinforced and enhanced, at every possible opportunity. In Annex 2 of the NPPF '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'*.
- 2.07 The NPPF sets out decision-making policies using different terminology from that used in the 1990 Planning (Listed Buildings and Conservation Areas) Act, referring in particular to *'conservation of significance'*. Historic England state that *'In essence, 'significance' is the sum of the heritage interests and so the special architectural and historic interest in a listed building or conservation area is part (or all) of its significance.'* (<https://historicengland.org.uk/advice/hpg/decisionmaking/legalrequirements/>). In heritage terms, *'significance'* is therefore broadly synonymous with *'special architectural and historic interest'*.
- 2.08 The NPPF requires in the case of all heritage assets, designated or otherwise, that local planning authorities should take into account *'the desirability of sustaining and enhancing the significance of such heritage assets and of putting them to viable uses consistent with their conservation'* (NPPF 2019 paragraph 185a).
- 2.09 In the case of designated heritage assets, the NPPF requires that *'great weight'* is given to the conservation of the asset, and *'the more important the asset, the greater the weight should be'* (NPPF 2019, paragraph 193).
- 2.10 If the development will lead to *'substantial harm'* to the significance of a designated heritage asset, paragraph 195 of the NPPF indicates that the development should be refused consent by the local planning authority, unless it can be proved that the loss or damage to the asset can be outweighed by substantial benefits to the public or if the proposal can meet a number of very specific conditions.
- 2.11 If the development leads to *'less than substantial harm'* to the significance of a designated heritage asset, paragraph 196 indicates that this harm still needs to be assessed against the public benefit of the scheme and whether or not the viability of the site is being optimised.
- 2.12 Insofar as this application involves the setting of the nearby designated heritage assets, the assessment methodology employed is based on what Historic England describe as *'A Staged Approach to Proportionate Decision-Taking'* as outlined in the Historic England guidance note on the setting of heritage assets (Historic England 2017).

THE SITE AND RELEVANT HERITAGE ASSETS

Site description

- 3.01 The application site is located in a field laid to grass to the south of The Old Rectory, adjacent to two existing outbuildings. The solar panels will be c.100m from The Old Rectory and c.200m from Oswaldkirk Hall. The application site is bounded by existing hedged boundaries to the north and west.

History of the site

3.02 The field in which the application site is located has been in agricultural use since the time of the 1856 Ordnance Survey map, and presumably before that time. Its proximity to the Rectory suggests that it may once have been glebe land, the income from which supported the incumbent of the Rectory. However by 1907 any historical association between the rectory and this land had been lost as the village land consolidated into a single ownership. The village history prepared by the Oswaldkirk Parish History Group states that:

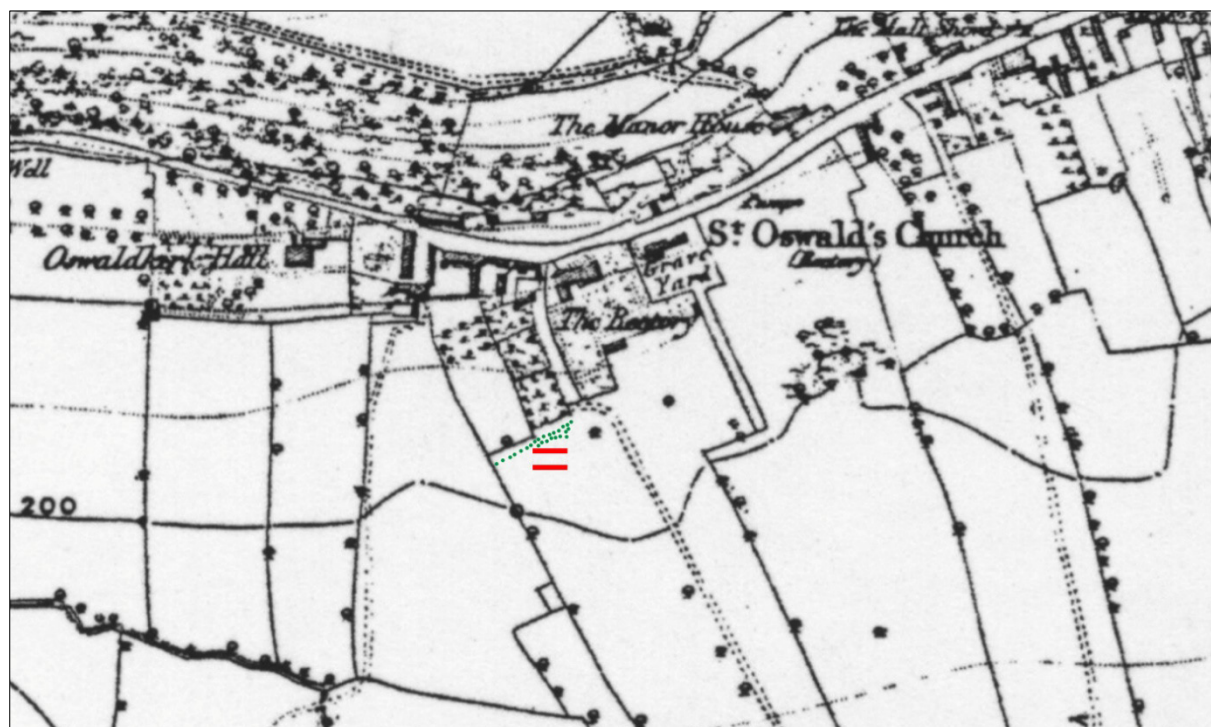
'In 1907, all the land and buildings in the village to south of the ridge, except the Church, the Rectory and four small houses along the Terrace, were owned by Col. Benson who lived at Oswaldkirk Hall. He also owned most of the land to the south of the village' (OPHG 2011, 10).

3.03 The old Ordnance Survey maps show the evolution of the land around the proposed site of the solar panels. Of relevance is the change to the land immediately north of the site. The house now situated there was built in the later twentieth century between the maps of 1952 and 1981 and is named *'St Oswald's Orchard'* - a reference to the original use of the land.

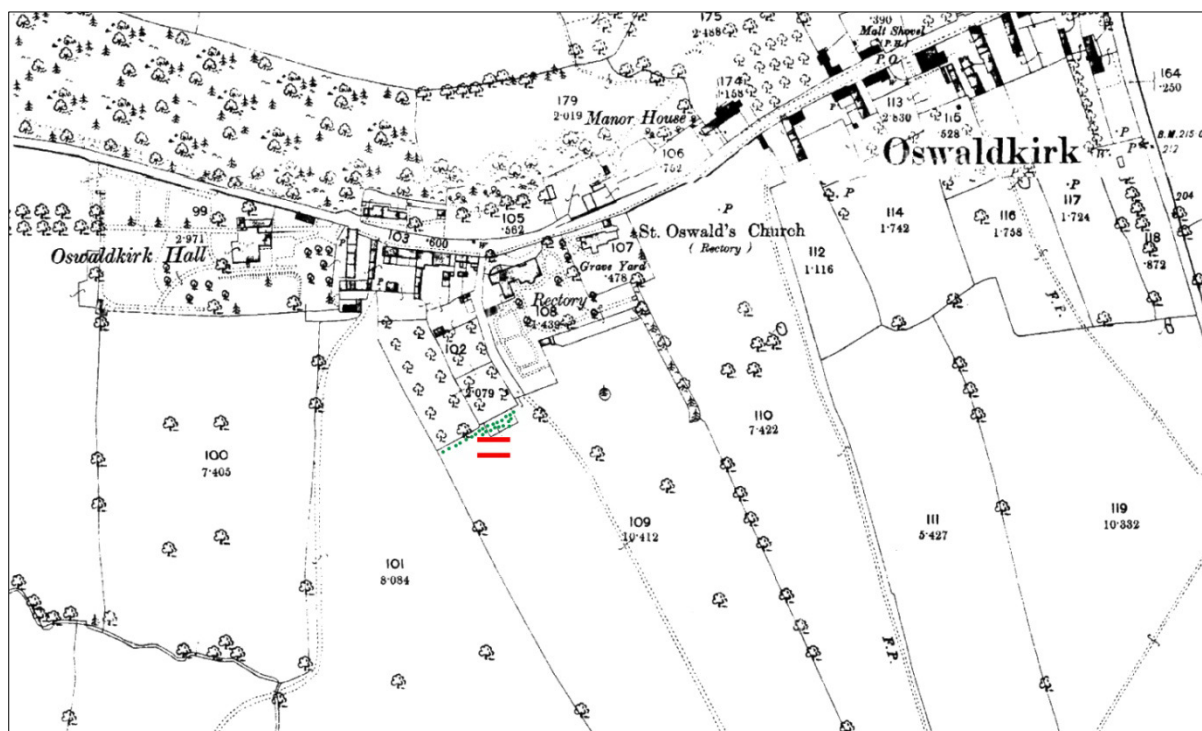
3.04 Old maps show that the land was an orchard, divided into two fields by a north-south boundary. In 1856 it was most densely stocked in the eastern field to the immediate north of the application site, but by 1892 and thereafter shown in 1911 and 1952 the entire area was recorded as densely stocked with trees. In 1981, the western division of the orchard was still occupied by trees, but the eastern field now formed the extended garden of the new house.

3.05 Comparison of an aerial photograph from the 1980s (hosted by the Oswaldkirk Village website) and a modern-day image show that even when most of the trees had been removed in the 1980s, there was still greater density of tree cover than is the case today.

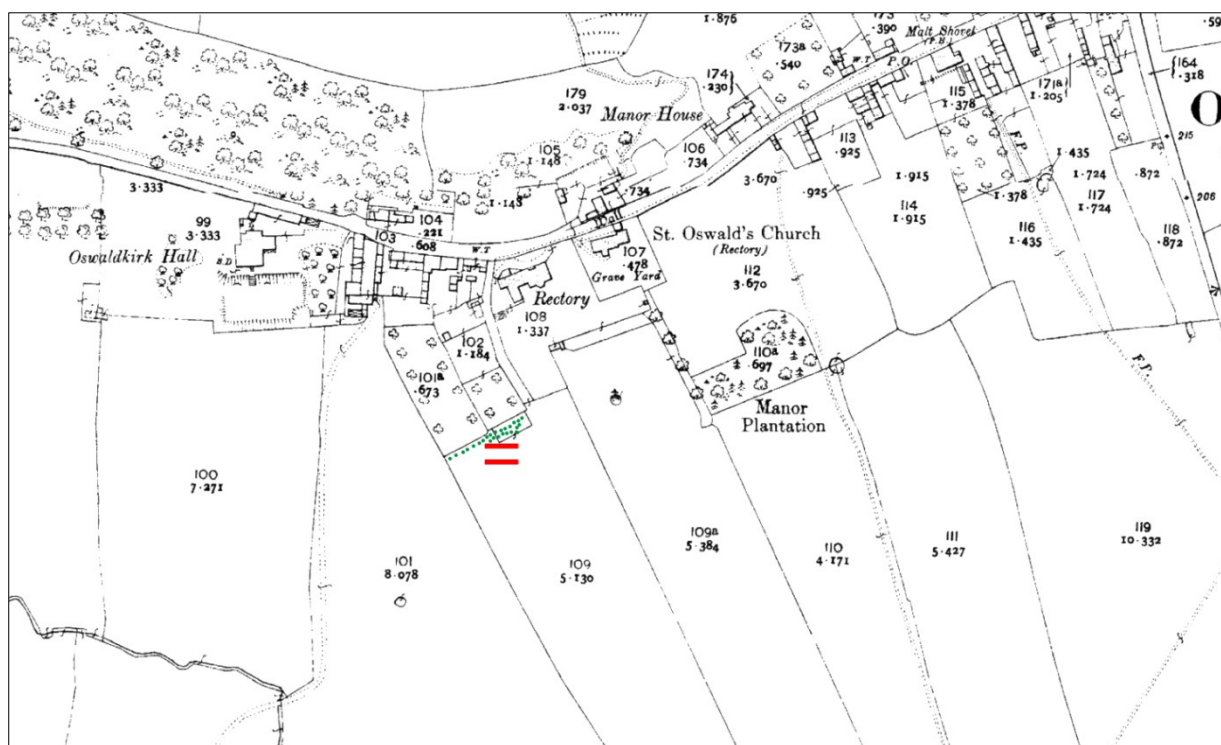
3.06 Historic maps show that the outbuildings adjacent to the proposed solar panel site were erected between the 1952 and 1981 maps. Before that time there was a small enclosure immediately to the north of the solar panel site, which had been built in the late nineteenth century.



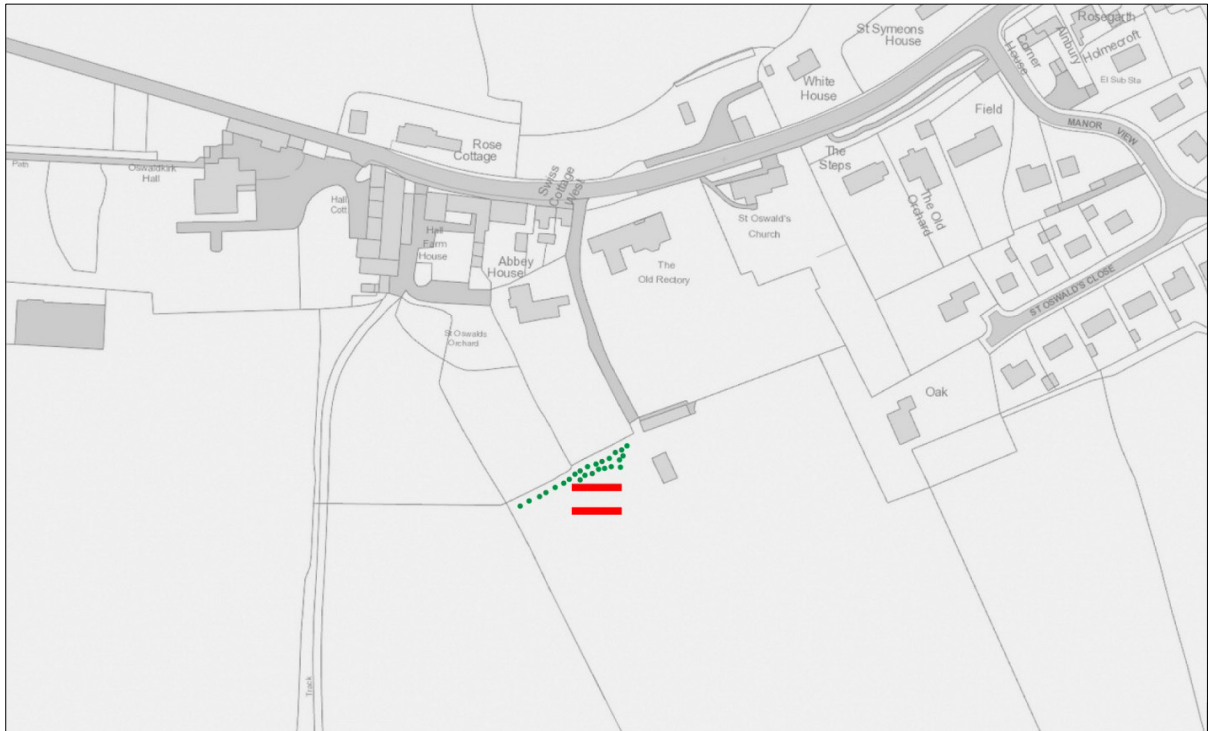
1856 Ordnance Survey map (green=new planting, red=proposed solar panel positions)



1892 Ordnance Survey map (green=new planting, red=proposed solar panel positions)



1911 Ordnance Survey map (green=new planting, red=proposed solar panel positions)



Modern Ordnance Survey map (green=new planting, red=proposed solar panel positions)



Aerial photographs of the site from the 1980s and modern day showing greater tree cover to the north of the site in the earlier photograph (http://www.oswaldkirk.org/OsNew/photo_gallery_1960.php; GoogleMaps)

ASSESSMENT OF SIGNIFICANCE

- 4.01 Significance is the concept that underpins current conservation philosophy. The significance of heritage assets is defined in the National Planning Policy Framework 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'*.
- 4.02 This section assesses the contribution made by the application site to the heritage significance of the nearby designated heritage assets and the Oswaldkirk Conservation Area. The purpose is to establish a baseline against which the impact of the proposed development can be assessed in the next section.

Setting

- 4.03 Setting is defined in the National Planning Policy Framework (NPPF) 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'* (NPPF, Annex 2: Glossary)
- 4.04 Historic England's guidance on setting expands upon the NPPF's definition, and makes clear that although visual relationships are key, other factors such as dust, noise, vibration can play a role and that the historic relationship between places can also be a consideration:
- 'The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.'* (Historic England 2017, 2).
- 4.05 Of the nearby designated heritage assets, the proposed site of the solar panels is within the setting of the Oswaldkirk Conservation Area, The Old Rectory (grade II), Oswaldkirk Hall (grade II*) and the Pigeon Cote Approximately 100 Metres South-East of Oswaldkirk Hall (grade II). The Pigeon Cote and Oswaldkirk Hall are in close proximity to one another and will be considered together in the analysis below.
- 4.06 There is no visual or historical connection between the application site and the Stable Block Approximately 50 Metres East of Oswaldkirk Hall (grade II). The application site is not within its setting, so no further assessment will be carried out for this building. Its significance cannot be harmed by the proposals.
- 4.07 Upon visiting the Church of Saint Oswald (grade II*) it is clear that there is no visual connection between the church/churchyard and the application site. For the most part it is impossible to see over the boundaries of the churchyard (due to high stone walls and much vegetation cover along the boundaries, even during the winter months when the site visit was undertaken). Where it is possible to see out of the churchyard, the existing outbuildings adjacent to the proposed solar panels block views.

- 4.08 From the private land to the southwest and south, and potentially from the B1363 as it bends to the south of the village (see below for discussion), it may be possible to see the church tower at the same time as the solar panel site, which makes the application site nominally within the setting of the church. However, Historic England specifically address the issue of tall buildings such as church towers in their guidance. They make the point that unless the development competes with the tower in terms of height, prevents appreciation of the tower (by blocking views), or impacts upon a designed view, small-scale developments are unlikely to affect the church's significance:

'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' (Historic England 2017, 7).

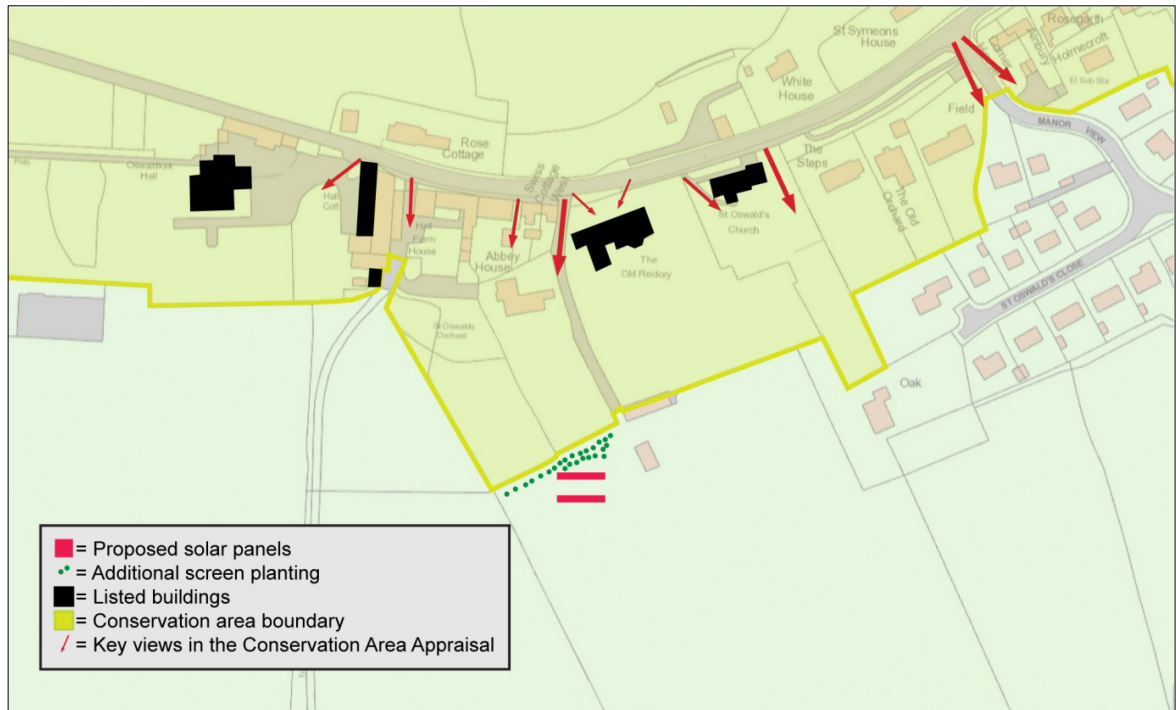
- 4.09 It is considered that this guidance applies in the case of the Church of Saint Oswald, and although forming a small part of the setting of the church, the application site does not have the capacity to harm the significance of the church. Therefore no further assessment is carried out for the church.

Views: The Oswaldkirk Conservation Area

Nearby viewpoints: 'Important views' from Main Street

- 4.10 The application site is located within the setting of the Oswaldkirk Conservation Area. In general, the setting of the conservation area contributes to its significance due to the rural, agricultural nature of the setting. This allows a visitor from within the conservation area or observing the village from further afield to appreciate the historic relationship of the village with the surrounding agricultural land.
- 4.11 However the application site forms a very small and not prominent part of the conservation area's setting. In fact it is not possible to see the application site from within the public realm of the conservation area. The Conservation Area Appraisal identifies *'views south over the agricultural fields and beyond to the Howardian Hills'* as a particular feature of the village (Ryedale District Council 2011, 39). It highlights a number of *'important views'*, of which those relevant to this application are the ones looking south from Main Street (Ryedale District Council 2011, map C).
- 4.12 In this part of the conservation area, with the exception of the identified *'important views'* between buildings or through entrances, views of the countryside to the south of the conservation area from within the public realm are mediated by the high wall flanking the roadside, which does not permit views of the nearer countryside (such as the location of the application site).
- 4.13 The important views from Main Street (red arrows) are shown in the figure below. While all give views of the distant countryside and the hills beyond, the nearer elements of the surrounding landscape - and the application site in particular - does not appear in any of these viewpoints. The view down the lane on the west side of the Old Rectory is constrained by walls and boundaries to either side of the lane and by the tunnelling effect of St Oswald's Orchard and the garage/outbuilding to the southeast of The Old Rectory. It is not possible to see the proposed site or the adjacent outbuildings at all, even if a visitor advances a short distance down the (privately owned) lane.
- 4.14 The view to the left of this (between Abbey House and Swiss Cottage West) is completely blocked by garden trees and bushes to the rear of Swiss Cottage West. Even if these were not present, St Oswald's Orchard would stand between this viewpoint and the application site. The next view to

the left (through Hall House Farm) is constrained by the farm buildings to the east and does not allow a visitor to see the application site.



'Important views' identified in the Conservation Area Appraisal in relation to the site. The site is not visible in any of the identified views, or from anywhere else in the public realm



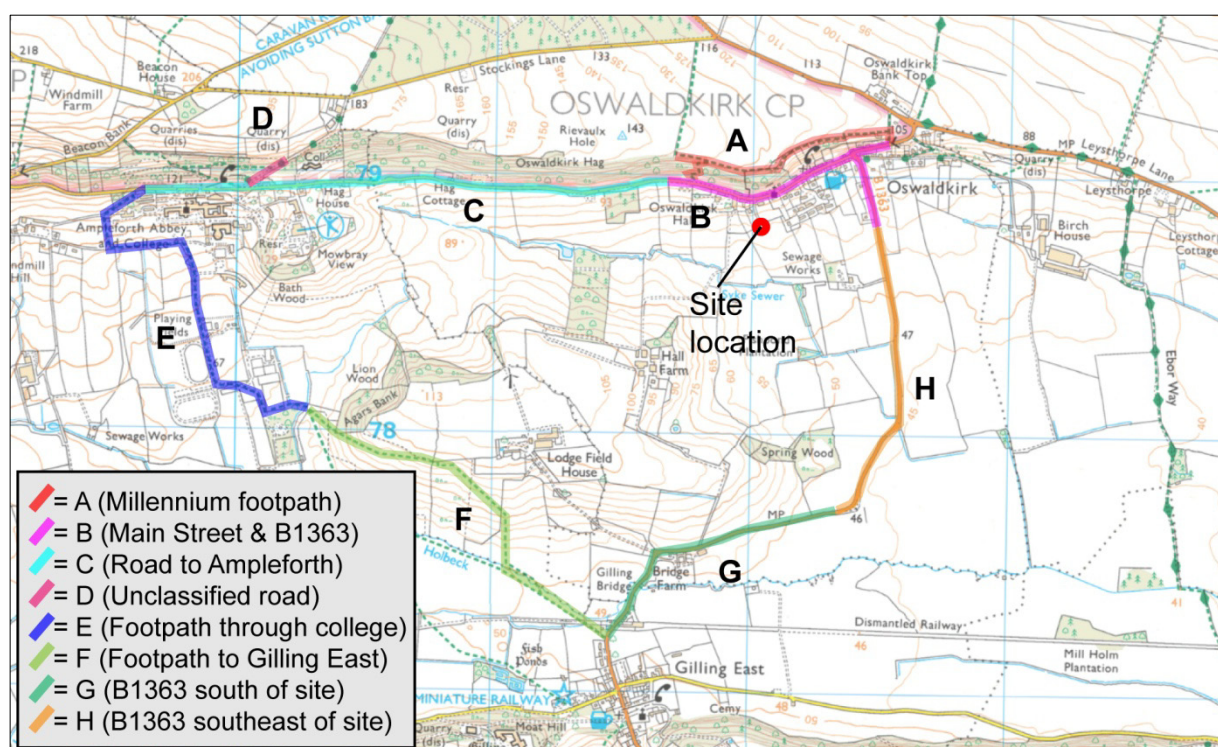
'Important view' down lane adjacent to The Old Rectory. The application site is not visible due to the boundaries to the lane, St Oswald's Orchard (right middle ground) and the garage block/outbuilding of The Old Rectory (left middle ground, with pantiled roof)



'Important view' through Hall House Farm. The application site is sited further to the left than the viewpoint allows a visitor to see

Views to the conservation area from the surrounding area

- 4.15 The other viewpoint identified in the Conservation Area Appraisal is the public footpath at the top of The Hag, known locally as the Oswaldkirk Millennium Trail. The appraisal identified that 'glimpsed views' are possible from here of the village and open countryside to the south. The footpath was walked in winter foliage conditions. It was ascertained that there were no views of the application site. Very little detail of the village is visible through the trees; a general impression of the village roofscape can be gained, although it is difficult if not impossible to identify individual buildings. At the time of the site visit the western end of the footpath had been subject to tree-thinning, with forestry operations ongoing. Even the resulting thinned tree cover did not allow any views of the application site.
- 4.16 While the application site is not visible from the public realm within the conservation area, views towards the village from further afield may also contribute towards the significance of the conservation area (although this is not identified as a feature of the village in the Conservation Area Appraisal).
- 4.17 In order to assess the role that the application site plays in views towards the conservation area, a number of possible vantage points were identified on an Ordnance Survey map and these were examined to check if views of the site were possible. These views are shown on the figure below and the views assessed in the following table. The application site was not visible from any of the vantage points.



Assessed vantage points from the area surrounding Oswaldkirk

Vantage point	Assessment method	Visibility
A (Millennium footpath)	Walked in full	Application site not visible
B (Main Street & B1363)	Walked in full	Application site not visible - blocked by high walls and buildings along Main Street, and by buildings within the village from the B1363
C (Road to Ampleforth)	By motor vehicle and map	Application site not visible - beyond the village, it becomes impossible to see Oswaldkirk and

		the surrounding fields due to the landscape topography
D (Unclassified road)	On foot and by map	Application site not visible - Oswaldkirk and the surrounding land are invisible from the foot of the unclassified road, which very quickly enters dense woodland as it climbs steeply to the northeast
E (Footpath through college)	Walked in full	Application site not visible - even the central part of the footpath does not permit views of Oswaldkirk and its surrounding land due to the rising saddle of land between Mowbray View and Agars Bank
F (Footpath to Gilling East)	Map	Application site not visible - The two branches of the public footpath are located well below the hillside, which rises by at least 20m between the paths and Oswaldkirk
G (B1363 south of site)	By motor vehicle and map	Application site not visible - Oswaldkirk is shielded by intervening higher ground
H (B1363 southeast of site)	Walked in full	Application site not visible at time of visit but possible glimpses cannot be ruled out if the roadside hedge is trimmed

- 4.18 Of all the vantage points assessed, only from the B1363 southeast of site is there any possibility of visibility towards the application site. However, no views were possible at the time of the visit and any potential views will only be possible if the roadside hedge is trimmed. At the time of the visit the site was not visible through the roadside hedge, even in winter foliage conditions.
- 4.19 Even if the roadside hedge were trimmed, for most of the length of the road other vegetation (in the form of field boundary hedges, tree belts and the trees around the sewage pumping station) would intervene between the viewpoint and the application site. It is highly unlikely that there would be more than occasional glimpses from a limited number of points along the roadside, and there may even be no viewpoints from which it would be possible to see the application site. This will be especially true in summer foliage conditions. It should also be noted that there are no footways adjacent to the road, and its busy nature and winding form make it extremely unfriendly for pedestrians. The speed of motorists or cyclists passing along this route would make it very difficult to see the site, even if glimpses were theoretically possible.

Views towards the conservation area from private farmland with no public access

- 4.20 It is not possible to see the site from the public realm within the conservation area or (with the doubtful exception of the B1363 southeast of site). However the site will probably be visible from the agricultural land to the south of the village to which there is no public access and from private houses and gardens within the village.
- 4.21 The 'private' nature of these views does not exclude them from consideration. However as they are not accessible to the public they play far less of a role in allowing visitors to appreciate the heritage significance of the conservation area. Due to the lack of views from the public realm, the application site makes only a negligible contribution to the heritage significance of the Oswaldkirk Conservation Area.

Views: Listed buildings

- 4.22 With regard to views from within Oswaldkirk village and more distant views looking towards the three listed buildings within whose settings the application site is located, much the same considerations apply as with the views to the conservation area in general. There are no viewpoints within the public realm from which it will be possible to see the application site in the setting of Oswaldkirk Hall, The Old Rectory of the pigeon-cote southeast of Oswaldkirk Hall.
- 4.23 This leaves consideration of 'private' views, from within and in the grounds of each of the listed buildings, which will be considered below.

Oswaldkirk Hall and the pigeon cote to the southeast

- 4.24 Visibility is limited from both the hall, the pigeon cote and their surroundings. The site is separated from the hall and the pigeon cote by two or three intervening hedged boundaries, and the site is placed diagonally away from the main southern elevation of the hall. From standing height at the application site it is possible to see the upper storey of Oswaldkirk Hall and the upper parts of the pigeon cote in winter foliage conditions; it may be impossible to see the site from those locations in the summertime due to increased foliage in the intervening hedges.
- 4.25 The site plays a relatively unimportant role in the setting of Oswaldkirk Hall and its pigeon cote. For much of the hall's history the site would have been completely hidden by the orchard to its north, which was only partially lost when the dwelling of St Oswald's Orchard was built between 1952 and 1981 and only fully lost more recently. The site is not therefore part of an intended, designed view from the hall and is a relatively recent addition to the viewscape from the hall, and then only from the hall's upper storey.
- 4.26 As part of the general perception of agricultural land that will be obtained from the upper storey of Oswaldkirk Hall, the site makes a very slight contribution to the significance of the hall. However it is a very small and insignificant part of the view from the hall, it was not historically part of the view from the hall and it is likely that the site is barely visible at all in summer foliage conditions.



Looking from the centre of the application site towards Oswaldkirk Hall (roof and upper storey seen in middle of photograph) and the pigeon cote to its southeast (down and to right of hall). The site is only likely to be visible from the upper storey of the hall, and there will be even less visibility in summer foliage conditions

The Old Rectory

- 4.27 The site is visible from The Old Rectory. However, as with Oswaldkirk Hall, there is some intervening vegetation (the hedge boundary and garden plants of the neighbouring property). However the smaller distance involved means that the site is visible - albeit partially screened by vegetation - from much of the rear facing elevation of The Old Rectory in winter foliage conditions. In summer there will be less visibility.
- 4.28 As with the hall, for much of the nineteenth and twentieth century the view of the application site from The Old Rectory would have been blocked by the orchard that stood immediately north of the site.
- 4.29 As part of the surrounding countryside, views of which are an important part of the significance of the Old Rectory, the application site makes a small contribution to its significance. However in the case of The Rectory the site is seen in relation to the existing outbuildings adjacent to the proposed site of the solar panels and can also be understood as part of the utilitarian immediate landscape of the house.



View from the rear of the Old Rectory. Limited visibility to the site (situated to the right of the two outbuildings in the centre of the photograph), likely to be even less in summer foliage conditions



View from the rear of the Old Rectory. Limited visibility to the site (situated to the right of the two outbuildings in the centre of the photograph), likely to be even less in summer foliage conditions

HERITAGE IMPACT OF THE PROPOSED DEVELOPMENT

The proposed installation and mitigation measures

- 5.01 The application consists of proposals for the erection of 76 individual ground-based solar panels erected in two rows, standing a maximum of 2m at their highest point.
- 5.02 The panels will be coated in a non-reflective coating to ensure minimal glare (which also serves to prevent deflection of solar energy). There is no operational noise, vibration, smell, pollution or waste from the completed development. These element will therefore not change and are incapable of affecting the settings of the nearby heritage assets.
- 5.03 An options appraisal has been carried out to investigate alternative sites within the landholding of The Old Rectory. The appraisal has been submitted as an appendix to the planning application. It concludes that the most appropriate site is the proposed location to the immediate west of the existing outbuilding. It assessed the possibility of:
- A rooftop installation on the barn/garage to the southeast of the Old Rectory. However this would not accommodate sufficient number of panels to achieve the aims of the installation, and would be shaded by a nearby tree (in the neighbouring property's garden), significantly reducing the effective output.
 - Installation on the roofs of the outbuildings adjacent to the proposed ground-based installation were also assessed but would not support a sufficient number of panels and in the case of the larger building, would be orientated in a non-optimal east-west configuration. The appraisal also notes that in this position, the panels would be significantly more visible from throughout the village and the surrounding area.
 - A ground-based installation directly to the south of The Old Rectory. This would be a non-optimal, partially shaded site and would make the panels highly/fully visible from the rear elevation of the rectory.
 - A ground-based installation directly to the east of the outbuildings (as opposed to the proposed site on the west of the outbuildings). Although a viable site, this location has no effective screening in place (compared with the hedges to the north of the proposed site), will be visible in the direct line of site south of The Old Rectory, and would visually impinge on the amenity of the dwelling to the immediate east of this site (Oak Lodge).
- 5.04 The proposed site benefits from existing partial screening for views from Oswaldkirk Hall and from The Old Rectory. Additional planting is proposed to the north and northwest of the proposed panel site, which will bolster the existing screening when it matures (some of the proposed additional planting is already in place).
- 5.05 Historic England have issued specific guidance regarding the installation of solar panels in association with designated heritage assets (Historic England 2018). They recommend the use of hazel or willow enclosures, made up of lightweight panels, and suggest that these can mitigate the effect on the setting of heritage assets:

'The visual impact of ground-mounted PV arrays can be minimised by using screening, such as hazel or willow enclosures' (Historic England 2018, 11)

'A way to mitigate this [intervisibility with and views of a heritage asset] could be with natural screening, such as hazel or willow enclosures that limit the impact on the setting.' (Historic England 2018, 14).

- 5.06 Historic England include in their guidance a photograph illustrating the use of hazel or wattle screening to mitigate visual impact, reproduced below.



Historic England Photograph illustrating the use of hazel or willow screens to mitigate the visual impact of ground-based solar panels (Historic England 2018, Figure 13).

- 5.07 It is recommended that consideration be given to the erection of hazel or willow enclosures to provide further screening to the north and northwest of the proposed solar panel site, in line with Historic England's recommendation. These could also potentially be deployed around the southern and southeastern side of the installation, if this can usefully be achieved without risking shading of the panels. Even if hazel or willow enclosures are not considered appropriate in this location, it should be noted that Historic England's guidance supports the use of screening as an appropriate mitigation for the visual impact of solar panels, which also applies to the proposed screen planting to the north and northwest of the solar panels.

Impact on the heritage significance of the conservation area and listed buildings

- 5.08 Visibility is the key to assessing the impact of the proposed solar panels. However it is essential to understand that simply being visible is not sufficient for the proposed solar panel installation to harm any heritage assets. Harm will only be caused if the solar panels harm part of the setting that contributes to, or allows visitors to appreciate, the heritage significance of the heritage assets. Historic England's guidance on setting makes the point clearly that views from heritage assets do not necessarily contribute to their heritage significance:

'Similarly, setting is different from general amenity. Views out from heritage assets that neither contribute to significance nor allow appreciation of significance are a matter of amenity rather than of setting' (Historic England 2017, 16)

- 5.09 Historic England note in their guidance on setting that in the case of very extensive settings (such as those under consideration at Oswaldkirk) not all elements may contribute equally or at all to the significance of heritage assets:

'Analysis of setting is different from landscape assessment. While landscapes include everything within them, the entirety of very extensive settings may not contribute equally to the significance of a heritage asset, if at all' (Historic England 2017, 14).

- 5.10 Visually the application site makes only a negligible contribution to the heritage significance of the Oswaldkirk Conservation Area due to the lack of views of the site from the public realm. The proposed solar panel installation will also be not visible from the public realm. The one exception might be from the B1363 to the southeast of the village. If the roadside hedges are cut there may be occasional glimpses possible, although this is not certain as there are several other hedges and tree clumps that may prevent even glimpses. If any glimpses are possible they will be extremely limited in duration, especially considering the speed of potential visitors who will be travelling by motor vehicle or bicycle. Until the tree screening proposed to the north and northwest of the site has matured, it may be possible to see the panels from private houses and gardens within the conservation area (but these are not accessible to the general public).
- 5.11 Being purely private views, the view of the proposed panels from private land will have only a negligible effect on the ability of visitors to appreciate the heritage significance of the conservation area. If any glimpses are possible from the B1363, the solar panel site will be very small and will be seen in association with the existing outbuildings of the site. None of these views will affect the ability of a visitor to understand and appreciate the conservation area as a village existing within a rural, agricultural landscape. The proposed solar panels will not harm the heritage significance of the Oswaldkirk Conservation Area.
- 5.12 Until the planting to the north and northwest of the solar panels has matured, it may be possible to see the solar panels from the upper storey of the grade II* listed Oswaldkirk Hall, its associated grade II listed pigeon cote and from the rear elevation of the grade II listed The Old Rectory. In none of these cases does the existing site make a significant contribution to their setting, forming as it does a very small part of the surrounding countryside. In no case is it part of a designed or intended view and for much of the history of these buildings the application site would have been hidden by the orchard that lay to its north until the late twentieth century.
- 5.13 The temporary nature of the proposed solar panels is of relevance. Historic England state that *'renewable energy projects and their associated infrastructure should aim to be reversible where possible.'* (Historic England 2018, 1). In this case the installation has an expected lifespan of 25 years and will be completely reversible, leaving no permanent change to the historic landscape.
- 5.14 The small size of the proposed solar panels, the discreet location, the partially screened nature of the site and the additional screening that has been proposed, combined with the reversible, temporary nature of the installation means that there will be a negligible impact on the heritage significance of Oswaldkirk Hall, the associated pigeon cote and The Old Rectory.

Conclusion

- 5.15 There will be no harm to either the Church of Saint Oswald (grade II*) or the Stable Block Approximately 50 Metres East of Oswaldkirk Hall (grade II) because the application site is not within their settings.

- 5.16 The site is a negligible part of the setting of the Oswaldkirk Conservation Area and the proposed solar panels will cause no harm to the heritage significance of the Conservation Area.
- 5.17 The site is part of the settings of Oswaldkirk Hall (grade II*), the Pigeon Cote Approximately 100 Metres South-East of Oswaldkirk Hall (grade II), and The Old Rectory (grade II). The proposed solar panels will not affect any designed or intended views from these buildings and the small size of the proposed solar panels, the discreet location, the partially screened nature of the site and the additional screening that has been proposed, combined with the reversible, temporary nature of the installation means that there will be a negligible impact on their heritage significance.
- 5.18 The National Planning Policy Framework sets out how the local planning authority, in making a decision, should balance any harm of a PV scheme against the sustainability benefits of the proposal. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight is given to the asset's conservation. The more important the asset, the greater the weight should be. In this case the level of harm would be negligible.
- 5.19 The public benefits of the proposal are set out in the Design and Access Statement that accompanies the application. Adapting to climate change, including moving to a low carbon economy is one of the environmental factors of sustainable development as laid out in Chapter 2 of the National Planning Policy Framework. Chapter 14 of the NPPF ('Meeting the challenge of climate change, flooding and coastal change') states that the planning system *'should support the transition to a low carbon future... and support renewable and low carbon energy and associated infrastructure'* (NPPF 2019, paragraph 148).
- 5.20 Of particular relevance is Paragraph 154, which encourages planning authorities to recognise the value of small-scale projects, and to *'approve applications if the impacts are (or can be made) acceptable'* (NPPF 2019, paragraph 154). In the case of this application the impact has been made acceptable by the careful placement of the solar panels to take advantage of existing screening, and the inclusion of additional planting to bolster the existing screening.
- 5.21 With reference to the use of solar panels in the historic environment, Historic England's guidance states that the aim should be to find *'...the best possible balance to be struck between saving energy and reducing carbon emissions, sustaining heritage significance, and maintaining a healthy building'* (Historic England 2018, 1). In this case it is considered that the best possible balance has been struck.
- 5.22 In terms of the National Planning Policy Framework the proposal will result in no harm to the Oswaldkirk Conservation Area or to the Church of Saint Oswald (grade II*) or the Stable Block Approximately 50 Metres East of Oswaldkirk Hall (grade II).
- 5.23 There will be a negligible degree of harm to Oswaldkirk Hall (grade II*), the Pigeon Cote Approximately 100 Metres South-East of Oswaldkirk Hall (grade II), and The Old Rectory (grade II) through changes to their settings. It is considered that this negligible level of harm is more than outweighed by the public benefits of the scheme, having given great weight to the conservation of the designated heritage assets concerned.
- 5.24 The proposed development is therefore in accord with the heritage provisions of the National Planning Policy Framework and the relevant sections of the 1990 Planning (Listed Buildings and Conservation Areas) Act. There is thus no heritage-related reason for refusal and the application should be approved in line with Paragraph 191 of the NPPF which states that local planning authorities should take account of *'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'*.

LIST OF SOURCES

Books/papers

Historic England 2017 The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 – 2nd edition, 2017

Historic England 2018 Energy Efficiency and Historic Buildings: Solar Electric (Photovoltaics)

Ministry of Housing, Communities and Local Government 2019 The National Planning Policy Framework February 2019

Oswaldkirk Parish History Group (OPHG) 2011 Oswaldkirk: A Living Village. Max Design and Print, York.

Websites

Britain from Above <https://britainfromabove.org.uk/en>

Department for Communities and Local Government Planning Practice Guidance
<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>

Francis Frith Photographic Archive <https://www.francisfrith.com/>

Historic England's PastScape <https://www.pastscape.org.uk/>

National Heritage List for England (NHLE) <https://historicengland.org.uk/listing/the-list/>

North Yorkshire Historic Environment Record via <https://www.heritagegateway.org.uk/gateway/>

Oswaldkirk Village Website - http://www.oswaldkirk.org/OsNew/photo_gallery_1960.php.

Appendix - List Description

Oswaldkirk Hall

Heritage Category: Listed Building

Grade: II*

List Entry Number: 1149583

Date first listed: 04-Jan-1955

House, c,1690, with earlier wing. For William Moor. Hammer dressed limestone, Westmorland slate roof. Formerly central entry to staircase hallway, with entrance now moved to side of house, and service wing, probably a survival from an earlier building on same site, to right. Main house: 2 storeys with attics, 5 bays. Plinth and rusticated quoins. Steps to glazed door in eared doorcase beneath broken segmental pediment flanked by sashes with glazing bars in architraves. First floor band. First floor: sashes with glazing bars in eared architraves. Decorated cast-iron rainwater heads. Modillion cornice. Hipped roof with three 2-light Yorkshire sash dormers. Ridge stacks. Service wing: one storey and attic. C19 wooden veranda. Sash window with glazing bar to ground floor. 2 dormer sash windows with glazing bar to attic. Ridge stack. Bellcote to right. Gable coping and shaped kneelers. Interior: reception rooms contain fine moulded plaster ceilings. Bolection moulded panelling and door surrounds, which carry broken pediments. Bulbous balusters and massive handrail to staircase. Panelled moulded plaster ceiling to landing with swags and scrolled foliage, of early C18 date.

Stable block approximately 50 metres east of Oswaldkirk Hall

Heritage Category: Listed Building

Grade: II

List Entry Number: 1173292

Date first listed: 11-Dec-1985

Stable block to Oswaldkirk Hall (qv), now cottages, garage and stable. Early C18. Limestone rubble brought to course, Welsh slate and stone slate roof. Former coach house, now garage, flanked by 2 cottages to left, stable to right. 2 storeys, 8 bays. Central 4 bays break forward and are quoined. Channelled arched carriage entrance to third bay flanked by half-glazed doors and fixed windows to cottages. 10-panel double door to stables. First floor: fixed windows except for pitching doors in seventh and eighth bays. Keyed stone architraves to all windows and doors. Concave eaves course, gable coping, shaped kneelers, left end and ridge stacks.

Pigeon cote approximately 100 metres south-east of Oswaldkirk Hall

Heritage Category: Listed Building

Grade: II

List Entry Number: 1149584

Date first listed: 11-Dec-1985

Pigeon cote in grounds of Oswaldkirk Hall (qv). C19. Limestone rubble, brick nesting boxes, pantile roof. Rectangular plan. Windowless facade with hipped roof and entrance from adjoining potting shed. Interior: nesting boxes on all sides to ceiling.

The Old Rectory

Heritage Category: Listed Building

Grade: II

List Entry Number: 1391515

Date first listed: 28-Feb-2006

Rectory, C18 and 1836, by Richard Sheppard for the Rector of Oswaldkirk. In ashlar under slate roofs apart from the road elevation which is coursed dressed stone with ashlar quoins, and incorporating an C18 barn in coursed rubble under pantile roof. The roof is low pitched with wide dentilated eaves, and the two central chimneys are in white brick.

PLAN: Main house has two rooms to either side of entrance hall and drawing room, with service rooms to the right and stable block (former barn) at right angles to service wing to rear. The site slopes down to the rear and the right.

EXTERIORS: front elevation to road (north) has a central distyle in antis entrance porch with an original door to the left, a central blind arch and a round arch window to the right, recessed behind two columns and two engaged pillars, and two round arched windows above. The bay to the left has a blind window to the ground floor and a 6 over 9 unhorned sash at first floor. To the right is a matching window at first floor, and two 6 over 6 sashes at ground floor. Service wing to the right has a lower roofline, 4 over 4 sash windows and an entrance door.

Garden elevation (south) has a central single storey canted bay with three 6 over 6 unhorned sash windows and a first floor window of one 2 over 2 central light flanked by narrow four pane lights. To each side, 6 over 6 sashes, those at first floor narrower than the ground floor. String course extending from top of the bay to either side, and a deep plinth to accommodate the fall in ground level. Service wing to the left is stepped back and has an arched glazed entrance, and a gabled bay to the left with 6 over 6 sash above, later casement below. The former barn extends at right angles from the middle of the service wing, and to the left is a doorway. There are the remains of render on the wall to the left of the barn. The barn has a vehicular entrance, a door and an 8 over 8 unhorned sash window on the left side and a single window in the gable end. East elevation is three windows wide, at ground floor 6 over 6 unhorned sashes with the outer two set in recessed blind arches; at first floor is a central narrow 6 over 6 sash flanked by two-light casements set in recessed panels. The string course extends at first floor height on the forward panels between the blind arches.

West elevation has two ground floor and one first floor sashes, with remains of render on the wall and some evidence of alterations.

INTERIOR: The main door leads into the entrance hall which has a cantilever staircase to the right with stick balusters, a wooden handrail with wreathed end, open string and carved brackets. Iron brackets have been inserted at first floor landing level to reinforce the balustrade. The floor is patterned stone flags. Doorways lead off to the principal rooms. To the left, the dining/breakfast room, originally two rooms, is now joined, with original windows and shutters, cornice, and grey steel fireplace with plain grey marble surround. Drawing room to the rear has canted bay window, ornate ceiling rose, frieze and cornice, and

white marble and polished brass fireplace. To the right, through an arched opening, is the library to the rear, with original windows and shutters, and wooden Adams style fire surround. The kitchen to the front has been opened out into the former corridor, and the floor level raised: part of the original stone flagged floor is visible. A short flight of steps leads down to the lower floor level, and continues into the cellars. Three further service rooms beyond, the furthest adapted from stables. An original fireplace in the middle one of these has been lost and replaced with one on the opposite wall. An inserted staircase to the first floor is opposite the first of these.

The former barn, redesigned as a coach house and stables in 1836, is in a poor state of repair and retains few original features.

The first floor of the house retains its original layout for the most part, with original doors, almost all windows, some original fireplaces. The first floor windows to the garden elevation on either side of the bay are higher than the ceilings of the rooms, and there are cut-outs in the ceilings to accommodate this. This appears to be an original feature. Two room attic floor above showing evidence of original roof timbers, and extensive cellar floor below. Ground below dining/breakfast room excavated out and floor joists supported on stone and brick pillars.

SUBSIDIARY FEATURES: the gardens to the south of the house are landscaped, with the ground falling away substantially to long views. There was no direct access from the principal rooms to the garden.

HISTORY: The earliest part of the building is the former barn, now an outbuilding range at right angles to the main house. This dates, from evidence of Glebe Terriers, to early C18. Plans survive of the new Rectory design dated 1836. These show a range of buildings to the south and west which were to be demolished, the former barn which was to be retained, and the layout of the new Rectory. The rectory was financed by a mortgage agreement between the Rector, the Rev. George Henry Wandesford Comber, and the Governors of the Bounty of Queen Anne for the augmentation of the maintenance of the poor clergy. The building is substantially unchanged from the plans except in two particulars: the canted bay to the drawing room is shown as rounded, and a wide, shallow semi-circular construction to the front of the service wing, containing a well, coal room and store for knives and shoes, was apparently never built. The blind window to the front left bay is shown to have been designed as such and little has been altered apart from the opening out of the dining and breakfast rooms which was done before c.1970. The first floor above the western end of the service wing was rented out separately at one time, and an external staircase and entrance door constructed: these have been removed, but the wall still shows evidence of former changes.

SOURCES: - Indenture for the extension to Oswaldkirk Rectory April 20th 1836, Borthwick Archives, York - Transcript of Glebe Terriers 1685-1861, Borthwick Archives, York

SUMMARY OF IMPORTANCE: This former rectory falls just within the pre-1840 cut-off point for consideration. Stylistically it falls fairly firmly in the earlier period, and thus reflects its rural location and probably local design. It is architecturally competent, having three main elevations with classical proportions, and it sits well within its grounds. The interior is almost intact, without a lot of detail but retaining a large part of its original plan and decoration. The existence of documentary and plan evidence of its origins add to its historic interest.

This former rectory thus fulfils the criteria for listing on grounds of its architectural quality, its intactness and the degree and quality of its interior survival, and is listed at Grade II.

Church of Saint Oswald

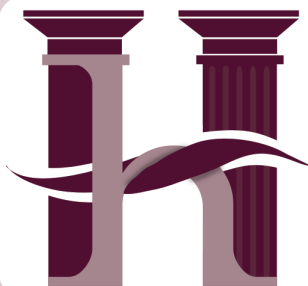
Heritage Category: Listed Building

Grade: II*

List Entry Number: 1173343

Date first listed: 04-Jan-1955

Church. C12 nave with late C13 insertions and 1886 restoration including substantial rebuilding of chancel. Limestone, sandstone and millstone grit rubble and ashlar, Westmorland slate roof. 5½-bay nave with western bellcote and south porch, and 3-bay chancel with vestry to north. West front has massive quoins, one of which is probably a Saxon cross shaft re-used. Single-light trefoil-headed window and bellcote above. Nave: south door in Victorian porch beneath a rebuilt basket arch incorporates finely-detailed beaded foliate capitals. 2-light trefoil-headed windows, that to east being only original one. To north: doorway of 2 chamfered orders, the outer one supported by shafts with stylised foliate capitals, with narrow round-headed chamfered window to right and original 2-light trefoil-headed window matching those to south, on left. Chancel: to south a blocked square-headed priest's doorway with C14 foliate cross grave slab fragment built into jamb, flanked by 2 square-headed 2-light C19 windows. To north: C19 vestry. East end: 3-light C19 window in Decorated style, with 2-light ogee-headed window to vestry. Interior: C17 pulpit and panelling in chancel. Fragments of medieval window glass in east bay of nave windows. Monuments on west wall of nave: Mary Thompson, died 1747, plaque on black surround surmounted by medallion with child held by putto. Edward Thompson, died 1742, white marble plaque on black surround surmounted by medallion with bust. Pevsner N. "Yorkshire: The North Riding" 1966.



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