
**HERITAGE CRITIQUE:
P25/V1646/FUL**

**OLD HAYES SOLAR FARM,
COLESHILL, OXFORDSHIRE**

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Executive Summary

1. For the most part, the *Heritage Desk-Based Assessment* (HDBA) is a thorough and helpful report, considering the heritage in and around the application site in light of the relevant legislation, policy, guidance and advice. There are some areas where compliance is less than complete, however:
 - The study area for the assessment appears to be somewhat arbitrarily defined, extending 1km from the boundary of the application site; this rules out any consideration of a number of designated heritage assets in the vicinity.
 - The references to non-designated heritage assets (NDHAs) are largely incorrect: their definition is incorrect, and some NDHAs in the vicinity of the site are omitted.
 - Of the four interests which comprise significance, the HDBA places inappropriate emphasis on those which feature in the designation criteria for listed buildings and conservation areas, meaning that the assessment of significance is potentially incomplete.
 - As a consequence of the definition of the study area for the assessment, the identification of the designated heritage assets which are potentially affected by the development proposal also risks being incomplete. Whilst it may be that a more complete explanation as to the basis for the decision to limit the study area to 1km from the site boundary will confirm that the choice was an appropriate one, as drafted it appears likely that the significance of affected heritage assets has not been determined, and the necessary information is therefore not available to understand the potential impact of the proposal on their significance.
 - The categories used to articulate harm to significance are too broadly defined, but it is not possible to see whether harm would have been articulated more effectively in the detailed assessments: in all five instances where an assessment is made, the HDBA concludes only that there is ‘no harm’ to heritage assets.
 - The assessment of setting is limited in the assets to which it is applied, and does not assess cumulative impact. It includes little direct reference to how the application site – once developed – might be seen from (and otherwise impact upon) the heritage assets assessed. Overall, the links between the assessment presented and the conclusions drawn are not clear or compelling.
 - One of the heritage assets omitted from the HDBA (the registered landscape at Buscot Park, along with the Coleshill Estate) is nevertheless the subject of a conclusion regarding the impact of the proposal upon it, set out without evidence in the *Planning, Design & Access Statement*.
 - There are a number of inconsistencies between the heritage statements made in the *Planning, Design & Access Statement* and in the HDBA.
2. Throughout the HDBA, there are some issues regarding aspects of the methodology adopted, and the links between the assessment undertaken and the conclusions which are subsequently drawn. There also remains a concern that not all relevant

assets have been assessed. Thus it is not certain that the HDBA has adequately articulated the significance of all affected heritage assets, nor accurately assessed the impact of the proposal on their significance: with regard to impact, the conclusions within the HDBA are that ‘no harm’ is caused to the selection of designated heritage assets assessed in detail, but these judgements are not fully substantiated, and there is no clear and convincing justification as per paragraph 213 of the *National Planning Policy Framework* (NPPF).

3. In terms of recommended actions:

- It is suggested that the identified issues in the HDBA are addressed, and the assessment extended in scope to demonstrate consideration of a wider range of heritage assets, in order to provide the local planning authority with the information required under paragraph 207 of the NPPF and necessary to inform their decision-making in light of the requirements in legislation, national policy, and the development plan.
- The ‘Late Iron Age to Roman’ settlement within the centre of the application site is regarded as being of schedulable quality. Whilst it is not currently subject to any designation, it is eligible to be considered for identification as a non-designated heritage asset by the local planning authority during the decision-making process (which would cause it to be considered under the NPPF policy that applies to scheduled monuments).

Methodology

4. This report presents a critique of the *Heritage Desk-Based Assessment* (CA Report: CR1273_1, June 2025) prepared by Cotswold Archaeology in support of planning application P25/V1646/FUL for the Old Hayes Solar Farm at Coleshill, in Oxfordshire. It has been prepared at the request of Plan-A Planning and Development Ltd, on behalf their client, the local action group.
5. The critique has considered the *Heritage Desk-Based Assessment* (HDBA) in light of the relevant legislation, policy (national and local), guidance and advice. In undertaking this online assessment, reference has also been made to the layout and location plans submitted with the planning application, and the heritage components of the *Planning, Design & Access Statement* prepared in support of the application by Cadence Planning. The National Heritage List for England has been reviewed with regard to the identification of designated heritage assets, and the Vale of White Horse District Council and Swindon Borough Council websites with regard to conservation area designations and non-designated heritage assets. All sources utilised are listed at Appendix I.
6. Given the volume of material assessed, this report focuses on areas of potential concern regarding compliance with the legislative and policy context, though it should be noted that much of the HDBA is thorough and helpful.

Context

7. The 73-ha application site is located immediately to the north of Colehill, in the Vale of White Horse district (though immediately adjoining Swindon Borough). The planning application seeks temporary planning permission (for forty years) for the 'construction and operation of a solar farm, battery energy storage system [and] associated infrastructure, access improvement and ancillary development, including ecological enhancements and continued agricultural use'. The development would be surrounded by a 2-metre security fence, and further contain a meteorological mast. In the centre of the site a 7-ha area will remain undeveloped in light of the underlying archaeology.

Assessment

Heritage Assets

8. The NPPF defines a heritage asset as 'a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest', noting that this includes 'designated heritage assets and assets identified by the local planning authority (including local listing)'. As clarified in the Government's *Planning Practice Guidance* (PPG), 'heritage assets are either designated heritage assets or non-designated heritage assets'.

Designated Heritage Assets

9. Designated heritage sites are World Heritage Sites, scheduled monuments, listed buildings, Protected Wreck Sites, registered parks and gardens, registered battlefields, or conservation areas. Examination of the National Heritage List for England and the Vale of White Horse District Council and Swindon Borough Council conservation area maps confirms the conclusion in the HDBA that there are no designated heritage assets on or immediately adjoining the development site.
10. There are however a number in the vicinity of the site. Those 'ringing' the site, individually or in clusters, are listed below:
 - Scheduled monuments to the south-west:
 - Highworth circle 200m north-east of Common Farm
 - Highworth circle 350m north-east of Common Farm
 - Two Highworth circles 250m and 325m north of Eastrop Farm
 - Highworth circle 200m south-east of Common Farm
 - Mediaeval settlement and associated ridge and furrow south-west of Eastrop Farm.

- Listed buildings:
 - Snowswick Cottage (Grade II), to the north
 - 9 listed buildings within the registered Buscot landscape, to the north-east
 - Middle Leaze Farmhouse (Grade II), to the east
 - 44 listed buildings in Coleshill, to the south: seven Grade II* and the rest Grade II
 - Coleshill Park ‘Great Piers’, including cast iron gates, to the east of Coleshill village (Grade I)
 - A milepost to the south (Grade II)
 - A milepost to the south-west (Grade II)
 - ‘Gateways’, to the south-west (Grade II)
 - 95 listed buildings in Highworth, to the west: one Grade I, eight Grade II*, and the rest Grade II
 - A milestone to the west (Grade II)
 - Stone Barn to the north-west (Grade II)
 - Farmhouse to the north-west (Grade II)
 - 5 listed buildings in Upper Inglesham, to the north-west (Grade II).
- Conservation Areas:
 - Coleshill (to the south)
 - Highworth (to the west).
- Registered Park and Gardens:
 - Buscot (Grade II*) to the north-east.

11. Not all of these are referred to within the HDBA, which utilised ‘an initial analysis... to identify a relevant and proportionate study area’, drawn 1km from the boundary of the application site, which was ‘considered sufficient to capture the relevant HER data, and provide the necessary context for understanding archaeological potential and heritage significance’ (paragraphs 2.2-2.3). The basis for this initial analysis was ‘industry standard GIS software, and primarily entailed a review of recorded heritage assets in the immediate and wider landscape, using available datasets’. Its definition therefore appears somewhat arbitrary, and rules out any consideration of a number of heritage assets in the vicinity. By way of comparison, the list above includes 5 scheduled monuments, 162 listed buildings, 2 conservation areas, and 1 registered park and garden. The HDBA refers briefly to the Highworth Circles scheduled monuments, and notes the existence of 46 listed buildings, and 2 conservation areas (the registered park and garden is however noted in the *Planning, Design & Access Statement*). Clearly not all the heritage assets listed above will have direct relevance to the application proposal, but a rationale is needed for their exclusion from the study, which – in the spirit of the proportionate approach required by national planning policy – could have been provided after even a cursory examination.

12. The list of heritage assets set out in the HDBA was supported in the local planning authority's response to the applicant's request for a scoping opinion: the process required to determine what was in scope in the Environmental Assessment and reported in the subsequent Environmental Statement (note that the scoping opinion was not itself able to be examined as part of this critique). What was deemed sufficient to determine that heritage could be 'scoped out' of the Environmental Assessment, however, was not explicitly supported for ongoing use. As set out in Appendix 1 of the *Planning, Design and Access Statement*, the Assistant Heritage Officer required that heritage impacts were 'more fully understood as part of a desk-based assessment outside of the EIA'. Specifically:
- Heritage impacts were to be addressed in a separate assessment, as required by the NPPF.
 - That assessment 'should include all options considered, justification and mitigation measures made clear as part of a full application'.
 - 'The desk-based assessment should consider best practice for identifying impacts to setting as outlined in *Historic England's GPA3 – The Setting of Heritage Assets* and demonstrated in relevant case law'
 - 'A broader understanding of the designated assets and their setting is needed when assessing potentially harmful impacts consistent with good practice advice and relevant case law for the assessment of the setting of heritage assets. The scoping report marginalises these concerns to justify this assessment being removed from the EIA but consideration should still be made for these potential wider impacts in a desk-based assessment. All heritage impacts will need to be considered and understood before an informed recommendation to the acceptability of this development can be made'.

Non-Designated Heritage Assets

13. The approach to NDHAs in the *Heritage Desk-Based Assessment* is not entirely consistent with Government policy and guidance. NDHAs are defined in the *Planning Practice Guidance* as 'buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets'. Plan-making bodies (generally local planning authorities or parish or town councils) can identify NDHAs in a number of ways, including the local and neighbourhood plan-making processes, conservation area appraisals and reviews, and as part of the decision-making process on planning applications.
14. Paragraph 2.16 of the HDBA incorrectly states that 'the July 2019 revision of the *Planning Practice Guidance* defines non-designated heritage assets as those identified as such in publicly accessible lists or documents provided by the plan-making body'. The PPG actually states that non-designated heritage assets are 'identified by plan-making bodies', and these plan-making bodies 'should make clear and up to date information on non-designated heritage assets accessible to

the public to provide greater clarity and certainty for developers and decision-makers’.

15. Appendix 1 of the HDBA then asserts states that, in addition to local and neighbourhood plans, and conservation area appraisals and reviews, the *Planning Practice Guidance* refers to ‘importantly, the local Historic Environment Record (HER)’ as an example of where these NDHAs may be identified, and further suggests that the PPG ‘defines *non-designated heritage assets* as those which have been specially defined as such through the local HER or other source made accessible to the public by the plan-making body’. Inclusion in a Historic Environment Record (HER) does not make a site or structure a non-designated heritage asset (whilst many HERs will however include reference to NDHAs properly identified by a plan-making body, the [Oxfordshire HER](#) explicitly excludes these, referring those inquiring to the local planning authority, instead).
16. The HDBA further advises that (e.g. in Appendix 1) ‘where HERs or equivalent lists do not specifically refer to an asset as a *non-designated heritage asset*, it is assumed that it has not met criteria for the plan-making body to define it as such, and will be referred to as a *heritage asset* for the purpose of this report’: this is an inappropriate approach. As noted above, ‘heritage assets are either designated heritage assets or non-designated heritage assets’: if some part of the historic environment has not been formally identified as a designated or non-designated heritage asset (and the *Planning Practice Guidance* notes that ‘it is important that all non-designated heritage assets are clearly identified as such’), then it is not a heritage asset, and is therefore not subject to the heritage asset-related policy in the NPPF. Much of what is referred to in the HDBA as a non-designated heritage asset should instead be referred to as undesignated heritage (e.g. in paragraph 2.4, where a 2024 site visit is described as having ‘allowed for the identification of any previously unknown heritage assets within the site’).
17. Despite the reference to NDHAs in local plan policy CP39 (discussed further below), there do not in fact appear to be any in this part of the Vale of White Horse: there is no reference to a local heritage list on the Vale of White Horse District Council website, nor other indications that non-designated heritage assets have been identified on or near the application site (NDHAs have however been identified elsewhere in the district, through neighbourhood plans).
18. The application site borders Swindon Borough. Swindon Borough Council’s *Buildings of Significant Local Interest Supplementary Planning Guidance* (adopted 2004) identifies four ‘buildings of significant local interest’ in Highworth, nearby:
 - Walls to rear of High Street
 - Former ‘Vorda Works’, Brewery Street
 - British School, Brewery Street
 - Lodge to Eastrop Grange.

19. These buildings are not identified in the HDBA. In line with Policy EN10 (Historic Environment and Heritage Assets) of the *Swindon Borough Local Plan 2026* they should be regarded as non-designated heritage assets. Further buildings are identified as ‘key buildings of interest’ in the *Highworth Conservation Area Appraisal and Management Plan (2006)*: given the link made in this document to the Supplementary Planning Guidance, these should also be regarded as non-designated heritage assets (note that they are mapped but not set out in a list).
20. Two specific sites are suggested as being NDHAs in the HDBA (and it is also suggested in paragraph 4.22 that “important’ hedgerows [under the Hedgerows Regulations] are normally considered to comprise non-designated heritage assets of low heritage value’), but – as far as can be determined from a search of the Vale of White Horse District Council website – are not. The first (shown on Fig. 10 in the HDBA) is the earthwork remains of a mediaeval moated site to the east of the application site, and is explicitly suggested as being a non-designated heritage asset.
21. The second is the ‘Late Iron Age to Roman settlement within the centre of the Site’, which the HDBA concludes is likely to meet the criteria for scheduling. Whilst the HDBA states that ‘this assessment has identified that no designated archaeological remains are located within the site’, and thus that ‘no *designated* archaeological remains will therefore be adversely physically affected by development within the site’ (paragraph 4.4), it also notes at paragraph 4.14 that:

NPPF Footnote 75 states that ‘non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets’. As such, Paragraph 213 of the NPPF, requiring clear and convincing justification for any harm or loss to designated heritage assets, may apply to the remains in the central area of the Site.

22. As the central settlement is not a non-designated heritage asset, it is not currently subject to the provision in footnote 75 of the NPPF, but it is eligible to be: as noted above, one of the ways in which NDHAs can be identified by local planning authorities is through the decision-making process on planning applications, and the *Planning Practice Guidance* specifically notes ‘following archaeological investigations’ as one of the prompts for this approach. This scenario is specifically addressed in *Planning and Archaeology: Historic England Advice Note 17 (HEAN 17)*. Noting that ‘most archaeological sites are undesignated, meaning that the majority of archaeological remains are not protected by listing or scheduling’, it advises that the importance of archaeological resources at any given location being unknown before a site is considered in the planning process ‘generates both opportunities and risks’ (paragraph 8). Paragraph 134 notes that ‘the DBA and, where necessary, the field evaluation inform discussion between the applicant and the LPA, and decision-making on... whether a non-designated heritage asset has been identified. As stated in the PPG, there are a number of processes through which non-designated heritage

assets may be identified; LPAs may do so as part of the decision-making process on planning applications'. Paragraph 151 advises that 'if remains are present that may warrant designation as a scheduled monument then discussions will be required between the developer, the planning authority, Historic England and other relevant stakeholders'.

23. If identified as an NDHA, the central settlement would fall under the footnote 75 provision, namely that NDHAs 'of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets'. This would require:
- Great weight to be given to the asset's conservation ('and the more important the asset, the greater the weight should be').
 - Any harm to, or loss of, the significance of the heritage, 'from its alteration or destruction, or from development within its setting... should require clear and convincing justification'.
 - Substantial harm to or loss of the heritage asset should be 'wholly exceptional', and the local planning authority should 'refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss', or all of the tests set out in NPPF paragraph 214 apply.
 - If the harm is less than substantial, it 'should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.
24. No other archaeological candidates for recognition as NDHAs are identified, but – after considerable work and a comprehensive presentation of the findings – the HDBA does correctly note at paragraph 4.39 that:

Extensive archaeological remains survive within the site, and may be truncated or removed within the footprint of intrusive development. Given the assessed potential for archaeology within the site, the investigation and recording of archaeological remains will be managed through suitable mitigation measures. The scope and methodology of any such further works would need to be discussed and agreed in advance by the archaeological advisor at Oxfordshire County Council.

25. Elsewhere references to the site's archaeology are inconsistent. In the HDBA's summary, paragraph 6.7 states that 'archaeological remains comprise an important, non-renewable and finite resource, and the construction impacts associated with the proposed development would have the potential to result in permanent and irreversible loss of, or damage to, any potential buried archaeological remains which may be present within the Site'. It further notes that 'any buried archaeological remains within the Site are unlikely to represent an absolute constraint on development, except for the remains of the Late Iron Age to Roman settlement at the centre of the Site which could be of schedulable quality and the locations of the

recorded cremation burials, although the known and potential remains would require consideration as part of the planning process'. Within its summary of the 'initial findings of the *Archaeology and Cultural Heritage Desk Based Assessment*', paragraph 9.57 of the *Planning, Design & Access Statement* instead suggests that the impact on below-ground archaeology would not be a constraint:

The desk based assessment carried out as part of this planning submission concludes that there is the potential for buried archaeological remains, however as the Proposed Development avoids the most sensitive area, identified as an extensive probable Iron age/Romano settlement, the impact on below ground archaeology is not significant....

26. A further issue with this reference is that, as clarified at various points in the HDBA (e.g. in paragraph 6.3), only the 'majority' of the central settlement has been excluded from the solar array ('sections of the settlement do encroach into the solar array footprint'): it is not accurate to state that the development 'avoids the most sensitive area', and the central settlement will not be wholly devoid of impact from solar arrays. The precise impact on the significance of the central settlement has not been assessed, beyond an implied acknowledgement of harm.

Significance

27. Paragraph 207 of the NPPF states that local planning authorities 'should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting'. Significance is defined as 'the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic'; the NPPF further confirms that 'significance derives not only from a heritage asset's physical presence, but also from its setting'. In meeting the requirements of paragraph 207, the applicant should provide a level of detail 'proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'. This should include consultation of the relevant Historic Environment Record, and the use of appropriate expertise. Where a site on which development is proposed 'includes, or has the potential to include, heritage assets with archaeological interest' – as here – the developer is required to submit 'an appropriate desk-based assessment and, where necessary, a field evaluation'. The degree to which the HDBA complies with this policy requirement is addressed below.

Definition

28. Having noted the NPPF definition of significance, the HDBA states in paragraph 3.19 that 'the assessment of the significance of heritage assets will be based on criteria provided... in *Conservation Principles* (2008) which describes value as a combination of evidential value; historical value; aesthetic value; and communal value' (this definition within *Conservation Principles* remains appropriate to use in support of an articulation of significance, but the document is not policy, and should

not be cited in place of the NPPF, as is occasionally the case in the HDBA). In Appendix 1, though, the HDBA states that:

Discussion of heritage significance within this assessment report makes reference to several key documents. With regard to listed buildings and conservation areas it primarily discusses ‘architectural and historic interest’, which comprises the special interest for which they are designated.

29. Whilst these are indeed the designation criteria, the assessment of significance in line with national planning policy requires reference to all four interests, as appropriate; in consequence, the assessment of significance is potentially incomplete. An example is paragraph 5.30, which suggests that:

The site lies within the wider surrounding agricultural landscape which does not form a part of the setting which contributes to the significance of the conservation area, or the individual heritage assets within it. Instead, Colehill’s significance is derived from the historical, architectural value of the listed buildings within and the peaceful setting of the village as a whole...

Affected Heritage Assets

30. As noted under ‘Designated Heritage Assets’, above, the list of designated heritage assets considered in the HDBA appears arbitrarily defined, and, in consequence, is potentially incomplete. No clear explanation has been given as to why some designated heritage assets within the vicinity have been omitted, and it has not been definitively determined which are ‘affected’ and which are not. This means that the significance of relevant affected heritage assets has also not been determined, and the information is not available to understand the potential impact of the proposal on their significance. It may be that a more complete explanation as to the basis for the decision to limit the study area to 1km from the site boundary will confirm that the choice was an appropriate one, but, as drafted, the HDBA looks to be incomplete in relation to this policy requirement, and in relation to what the Assistant Heritage Officer (AHO) outlined as necessary in the response to the request for a scoping opinion. As the AHO concluded: ‘all heritage impacts will need to be considered and understood before an informed recommendation to the acceptability of this development can be made’.

Harm

31. The *Planning Practice Guidance* confirms that ‘proposed development affecting a heritage asset may have no impact on its significance or may enhance its significance and therefore cause no harm to the heritage asset’, and this is reflected in the HDBA. The PPG further states that:

Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which

includes total loss) in order to identify which policies in the National Planning Policy Framework... apply. Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.

32. To articulate harm, the HDBA instead adopts ‘broad ‘level of effect’ categories’ (paragraph 2.12), which it claims are ‘consistent with key national heritage policy and guidance terminology’, noting that they ‘should be viewed within the context of the qualifying discussions of significance and impact presented in this report’. These categories are themselves too broad to be clearly articulated (merely comprising heritage benefit, no harm, less than substantial harm (upper and lower ends) and substantial harm), but it is not possible to see whether harm would have been articulated more effectively in practice, as, in all five instances where an assessment is made, the HDBA concludes only that there is ‘no harm’.
33. In *Appendix I: Heritage Statute Policy & Guidance* of the HDBA, substantial harm is defined with reference to caselaw, specifically *Bedford Borough Council v SoS for CLG and Nuon UK Ltd*, a judgement that now needs to be viewed in light of the updated *Planning Practice Guidance* and subsequent caselaw, including *London Historic Parks and Gardens Trust v. Minister of State for Housing & Others*. The PPG provides a helpful current definition of the approach to determining substantial harm.

Detail

34. For the most part – noting the potential omissions outlined above – the HDBA provides a level of detail ‘proportionate to the assets’ importance’, reflecting the required consultation of the Historic Environment Records (and other sources, as outlined in Table 2.1 of the HDBA and elsewhere in the report), and the use of appropriate expertise. In light of the known potential of the site to hold heritage assets with archaeological interest, the work undertaken included geophysical surveys (2023 and 2024), and archaeological trial trench evaluation (2025), as well as the desk-based assessment.

Setting

35. Significance ‘derives not only from a heritage asset’s physical presence, but also from its setting’, and the required description of the significance of any heritage assets affected by a development proposal includes ‘any contribution made by their setting’. The NPPF defines setting 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.

36. The *Planning Practice Guidance* further clarifies that ‘all heritage assets have a setting’, and, importantly, that, whilst ‘the extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations’, this is not all that should be considered:

Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places.

37. The HDBA relies largely on consideration of the visual in its assessment of setting. There are passing references to other considerations, but generally the references are limited to sightlines.
38. The *Planning Practice Guidance* further advises that, when assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. Given the presence near the application site of further solar farms, the HDBA could usefully have taken potential cumulative impact into account. Setting is addressed in more detail in Historic England’s 2017 *Good Practice Advice in Planning Note 3 (GPA 3): The Setting of Heritage Assets*; in relation to cumulative change, GPA 3 states that ‘where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset’.
39. GPA 3 further tackles the issue of views, clarifying – as the HDBA does – that ‘views out from heritage assets that neither contribute to significance nor allow appreciation of significance are a matter of amenity rather than of setting’. GPA 3 also notes that views which ‘contribute more to understanding the significance of a heritage asset’ include those ‘where the composition within the view was a fundamental aspect of the design or function of the heritage asset’, ‘where town- or village-scape reveals views with unplanned or unintended beauty’, and those ‘with historical associations’. The HDBA focuses on designed and intended views, resulting in a concern that the visual aspect of setting has itself not been fully considered.
40. GPA 3 recommends a five-step approach to the assessment of setting, the first step of which is ‘identify which heritage assets and their settings are affected’. In describing the application of this step, paragraph 5.5 of the HDBA outlines the factors considered in its assessment of ‘heritage assets potentially susceptible to impact as a result of changes to their setting’, concluding that:

Assets... considered to be potentially sensitive to the proposed development, due to proximity to, or potential inter-visibility with the site comprise:

- *Grade II Listed Middle Leaze Farmhouse and Attached Wall and Summer House...*
- *Grade II Listed Foal House...*
- *Non-designated earthwork remains of a medieval moat...*
- *Highworth Conservation Area....*

41. There is passing reference to the ‘experiential’ setting of the heritage assets which were progressed to steps 2 (‘assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated’) and 3 (‘assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it’). Despite not being on the step 1 list above, Coleshill conservation area is introduced at this stage, albeit more in the form of a conservation area appraisal (to offset the absence of one on the local planning authority’s website) than a detailed consideration of the contribution of setting to significance and the impact of the development proposals upon it. Within this context, ‘key views’ were identified, ‘within and into the conservation area’; views from the conservation area to the application site, and back again, are scarcely touched on, despite the acknowledgement of Coleshill’s elevated position, the link that garden spaces form to ‘the outlying agricultural landscape’, and the fact that the ‘immediate surrounding agricultural land and pockets of woodland form the setting of the settlement’: it is acknowledged that the application site forms part of some outward views from the conservation area, providing ‘this viewpoint with an agricultural backdrop’. It is noted that the Zone of Theoretical Visibility provided ‘indicates that visibility of the proposed development will go up to the boundary of the CCA, but views will not penetrate the village due to its built form and tall trees’, and that ‘views from listed buildings to the site could be altered’.

42. Some consideration of views near the site is limited to public vantage points, contrary to the statement in GPA3 that:

Because the contribution of setting to significance does not depend on public rights or ability to access it, significance is not dependent on numbers of people visiting it; this would downplay such qualitative issues as the importance of quiet and tranquillity as an attribute of setting, constraints on access such as remoteness or challenging terrain, and the importance of the setting to a local community who may be few in number. The potential for appreciation of the asset’s significance may increase once it is interpreted or mediated in some way, or if access to currently inaccessible land becomes possible.

43. Overall, the emphasis on the visual is pronounced. A further reference in support of this is that ‘the village as a whole forms the setting of the individual listed buildings’. The listed buildings are otherwise barely considered in their own right – and, as GPA

3 acknowledges, ‘extensive heritage assets... can include many heritage assets, historic associations between them and their nested and overlapping settings, as well as having a setting of their own. A conservation area is likely to include the settings of listed buildings and have its own setting’. It is acknowledged in the HDBA that ‘the proposed development would... potentially be seen in views from the side/rear of the Grade II listed 13 and 14, and Foal House’, but concluded that ‘the key experience of the two listed buildings from within their immediate surroundings would not change, and the design measures will ensure that the landscape experienced within the views from the buildings remains fundamentally rural in character’.

44. Other aspects of setting and the experience of the asset are briefly touched on: the historic relationship with the Buscot and Coleshill Estate is noted, and there is some consideration of the impact of noise from the site (without reference to the noise assessment findings, ‘it is anticipated that no noise will be emitted from the proposed development once it has been constructed’, and there will therefore be ‘no impacts to the significance and experience of the CCA from noise pollution’). There is also reference to the character of the surrounding landscape, land use, and enclosure.

45. On the basis of this assessment, the conclusion drawn is that the application site ‘has a limited contribution to the setting of the conservation area other than providing a rural backdrop for the village’, and that the site:

... lies within the wider surrounding agricultural landscape which does not form a part of the setting which contributes to the significance of the conservation area, or the individual heritage assets within it. Instead, Coleshill’s significance is derived from the historical, architectural value of the listed buildings within and the peaceful setting of the village as a whole.

46. Whilst there will be a ‘change in character of the wider surroundings of the conservation area’, the assessment concludes that ‘the immediate green and rural setting which encircles the village is to remain undeveloped, and this combined with enhanced enclosure and containment within the south-eastern area of the site, will ensure that the conservation area is still experienced, appreciated and interpreted within a generically rural setting’:

The settings assessment presented has concluded that the site is not a key element of the setting of CCA that contributes to its special architectural and historic significance. With this in mind, it is considered that development within the site will not alter any key element of the setting of any designated heritage asset such that may result in harm to its heritage significance. Thus, no harm would result to the significance of the conservation area should the proposed solar park proceed.

47. There are also some concerns regarding the detailed assessment of Foal House which follows. The HDBA notes a visual relationship between the listed building and the application site, 'limited to distant and occasional views from the southern area of the site only', and advises – without further detail or commentary – that 'the proposed development would have limited perceptibility within these views, being largely screened by the surrounding vegetation that borders the field in which the asset is located'; the impact of the proposed development's ecological buffer zone will 'aid in reducing views of the proposed development from the asset as well once the vegetation has matured'. All of which leads to a conclusion that 'the primary experience of the asset within its immediate setting will not be impacted, and there will be no harm on the significance of the listed building'.
48. Overall, the assessment of setting is limited in the assets to which it is applied, and includes little direct reference to how the application site – once developed – might be seen from (and otherwise impact upon) the heritage asset (in this, the HDBA does not reflect the approach outlined in GPA3, which provides a detailed checklist of the 'potential attributes of a development affecting setting that may help to elucidate its implications for the significance of the heritage asset'). The links between the assessment presented and the conclusions drawn are not clear or compelling.
49. Not addressed in the HDBA, but instead in the *Planning, Design & Access Statement*, is the potential impact of the proposal on the registered landscape at Buscot Park, and on the Coleshill Estate (National Trust). The conclusion drawn is as follows (paragraph 9.55):

It is considered that owing to the separation distance between the site and these heritage assets it is not considered that there will be any negative impact as a result of the Proposed Development. Any identified impacts can be suitably mitigated through additional planting along the boundary edges of the site to limit and suitably reduce any identified visual impact on these heritage assets.

It is of some concern that such a conclusion can be reached without any record of supporting evidence gathering and analysis.

50. The *Planning, Design & Access Statement* further notes (paragraph 9.56) that 'a detailed cultural heritage desk based assessment has been provided to assess the potential impacts on the various heritage assets within [Coleshill]'. It then states:

It is acknowledged that the site proposed solar scheme is within 500m of this settlement, but owing to the topography of the site and its inter-relationship with Coleshill, it is anticipated that the visual and heritage impacts on these designated assets will be very limited.

This is not the conclusion of 'no harm' that the HDBA itself reaches, and which is reported elsewhere in the *Planning, Design & Access Statement*.

Legislation

51. Section 66(1) of the *Planning (Listed Buildings and Conservation Areas) Act, 1990* requires local planning authorities considering whether to grant planning permission for development which affects a listed building or its setting to 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’. The *Planning Design & Access Statement* (paragraphs 7.80-7.81) states that, in light of the HDBA’s assessment of the potential impact of the application proposal, it is ‘considered that... the proposed development will not alter the setting, character or context of the Grade II listed Foal House and Coleshill conservation area, or any of the listed buildings in proximity to the site’. The *Planning Design & Access Statement* then concludes that, firstly, ‘the development proposal will result in no harm to the heritage significance of any designated heritage asset, through changes to the experience of it within their setting’, and, secondly, that the proposals are therefore ‘in line with the requirements’ of section 66(1) – a claim also made in paragraph 6.11 of the HDBA. Section 66(1) places a duty on the local planning authority (as is correctly noted in the HDBA), and not the applicant, but, given the concerns articulated above regarding the heritage assets considered, and the way in which they were considered, it would not be accurate to say that the applicant has had special regard to the desirability of preserving the buildings or their setting, and nor is it possible to confirm that the local planning authority has all the information it needs in support of its own deliberations.
52. Section 72 (1) of the 1990 Act requires local planning authorities undertaking planning activity in respect of buildings or land within a conservation area to pay ‘special attention... to the desirability of preserving or enhancing the character or appearance of that area’. As correctly noted in the HDBA, this duty only applies to buildings or land within a conservation area, and not within its setting: it is not one that the local planning authority is bound to consider in determining this application.
53. There is not currently a ‘special regard’ duty as exists for listed buildings in force in relation to scheduled monuments (as is noted in the HDBA) or registered parks and gardens.

Development Plan

54. The application site lies within the Vale of White Horse, and is therefore considered in light of the *Vale of White Horse Local Plan 2031 (Part 1 – Strategic Sites and Policies, and Part 2 – Detailed Policies and Additional Sites)*. Relevant policies include the following, and are addressed in turn below:
- Core Policy 39 (Historic Environment)
 - Core Policy 41 (Renewable Energy (excluding wind energy))
 - Development Policy 36 (Heritage Assets)

- Development Policy 37 (Conservation Areas)
- Development Policy 38 (Listed Buildings)
- Development Policy 39 (Archaeology and Scheduled Monuments).

55. Core Policy 39 is cited in the HDBA. In it, the Council commits to working with developers and others to ‘ensure that new development conserves, and where possible enhances, designated heritage assets and non-designated heritage assets and their setting in accordance with national guidance and legislation’. This accords with legislation and national planning policy, compliance with which has been assessed above.

56. Core Policy 41 is not cited in the HDBA (though it is mentioned in passing in the *Planning Design & Access Statement*), but is relevant to the consideration of the solar farm proposal in respect of heritage. The key provision in this regard is its support for ‘planning applications for renewable and low carbon energy generation... provided that they do not cause a significantly adverse effect to... the historic environment, both designated and non-designated assets, including by development within their settings’. As explored above, it cannot be determined on the basis of the HDBA that there is not a significant adverse impact on the historic environment as a result of the current proposal.

57. Development Policies 36 to 39 support the delivery of Core Policy 39, and, again, reflect legislation and national planning policy. They are all cited in the HDBA, and compliance with the substance of their key provisions has already been addressed in the discussion above. The *Planning Design & Access Statement* states that ‘the proposals are also entirely consistent with the Development Plan’, with reference to the policies outlined here, and concludes that ‘the Decision Maker must have due consideration of the above and that significant weight should be attributed to the fact that there are no defined heritage impacts that arise as a result of this development proposal’. This conclusion cannot be supported on the basis of the evidence presented.

Conclusion

58. Throughout the HDBA, there are some issues regarding aspects of the methodology adopted, and the links between the assessment undertaken and the conclusions which are subsequently drawn. There also remains a concern that not all relevant assets have been assessed. Thus it is not certain that the HDBA has adequately articulated the significance of all affected heritage assets, nor accurately assessed the impact of the proposal on their significance: with regard to impact, the conclusions within the HDBA are that ‘no harm’ is caused to the selection of designated heritage assets assessed in detail, but these judgements are not fully substantiated, and there is no clear and convincing justification as per paragraph 213 of the *National Planning Policy Framework*.

59. In terms of recommended actions:

- It is suggested that the identified issues in the HDBA are addressed, and the assessment extended in scope to demonstrate consideration of a wider range of heritage assets, in order to provide the local planning authority with the information required under paragraph 207 of the *National Planning Policy Framework* and necessary to inform their decision-making in light of the requirements in legislation, national policy, and the development plan.
- The 'Late Iron Age to Roman' settlement within the centre of the application site is regarded as being of schedulable quality. Whilst it is not currently subject to any designation, it is eligible to be considered for identification as a non-designated heritage asset by the local planning authority during the decision-making process (which would cause it to be considered under the NPPF policy that applies to scheduled monuments).

Appendix I: Sources Used to Inform the Critique

Planning Application P25/V1646/FUL

- Application form
- Layout plan
- Location plan
- *Heritage Desk-Based Assessment*
- *Planning Design & Access Statement*

Legislation

- *Planning (Listed Buildings and Conservation Areas) Act, 1990*

National Policy and Guidance

- *National Planning Policy Framework* (December 2024)
- *Planning Practice Guidance*

Local Policy and Guidance

- *Vale of White Horse Local Plan 2031 Part 1 – Strategic Sites and Policies* (2016)
- *Vale of White Horse Local Plan 2031 Part 2 – Detailed Policies and Additional Sites* (2019)
- *Swindon Borough Local Plan 2026* (2015)
- *Buildings of Significant Local Interest Supplementary Planning Guidance* (Swindon Borough Council, 2004)

Advice

- *GPA 2: Managing Significance in Decision-Taking in the Historic Environment – Historic Environment Good Practice Advice in Planning: 2* (Historic England, 2015)
- *GPA 3: Good Practice Advice in Planning Note 3: The Setting of Heritage Assets* (Historic England, 2017)
- *HEAN 12: Statements of Heritage Significance: Analysing Significance in Heritage Assets – Historic England Advice Note 12* (Historic England, 2019)
- *HEAN 15: Commercial Renewable Energy Development and the Historic Environment: Historic England Advice Note 15* (Historic England, 2021)
- *HEAN 17: Planning and Archaeology: Historic England Advice Note 17* (Historic England, 2022)
- *Conservation Principles, Policies and Guidance* (English Heritage, 2008)

Other Sources

- *National Heritage List for England*
- Conservation areas:
 - Buscot: map
 - Coleshill: map
 - Highworth: *Highworth Conservation Area Appraisal and Management Plan*
- Vale of White Horse District Council website
- Swindon Borough Council website
- Oxfordshire County Council website