

From: [REDACTED]
To: [Jones, Hefin](#)
Subject: Heritage Statement 3 : Cleve Hill Solar Park 12/7/2019 : Additional Submission - Written representation by the applicant on Heritage Policy.
Date: 30 August 2019 07:13:07
Attachments: [REDACTED]

Dear Hefin

Please find enclosed a response to : Cleve Hill Solar Park 12/7/2019 : Additional Submission
- Written representation by the applicant on Heritage Policy.

This response was commissioned by GREAT and carried out by Dr N Doggett.

Best wishes,

Lut Stewart



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Heritage Advice Note on the Additional Written Representation Document on Heritage Policy & Legislation, submitted on behalf of Cleve Hill Park Solar Park Ltd. (July 2019)

This note, prepared on behalf of Graveney Rural Environment Action Team ('GREAT'), addresses the above document, recently submitted by the applicants as an additional written document as part of the Development Consent Order ('DCO') application process relating to the proposed Cleve Hill Solar Park.

It is important to note that this additional document does not discuss the heritage merits of the proposals or otherwise contribute in any meaningful way to the DCO Inspector's consideration of the heritage issues which are at stake as part of this process.

Rather, it provides a minute and largely unnecessary comparison of the minor differences in wording between those parts of the National Planning Policy Framework ('NPPF') relating to heritage issues, and the advice on them set out in Section 5.8 of EN-1 of the National Policy Statement ('NPS') on Nationally Significant Infrastructure Projects ('NSIPs'), with which the DCO Inspector will obviously already be more than familiar.

I acknowledge that, as the additional document states (paragraph 5), there 'is a presumption in favour of NSIPs', but just as there is a general presumption in favour of granting planning permission unless material considerations dictate otherwise, an NSIP cannot proceed without a proper consideration of all other relevant matters involved, including in this case heritage.

Indeed, as the additional document itself concedes (paragraph 11) but, curiously, does not quote *verbatim* paragraph 5.8.18 of EN-1 states the following: '*Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset then the greater the justification needed for any loss. Where the application will lead to substantial harm to or total loss of significance of a designated heritage asset the IPC should refuse consent unless it can be demonstrated that the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm*'.

Unsurprisingly, this wording is very similar to that used in paragraphs 195 and 196 of the NPPF relating to precisely the same issue.

All this leads to me the conclusion that, despite the legal 'posturing' (which extends to an irrelevant consideration of Barnwell and the Jones case) contained in the additional document, the applicants know that in reality the DCO Inspector will need to give due weight to the significant heritage issues raised by the Solar Park proposals and cannot put them to one side simply because the DCO application process is different to usual planning procedure.

Dr Nicholas Doggett, FSA, IHBC, MCIfA
Managing Director, Asset Heritage Consulting

19 July 2019