



Historic England

WEST MIDLANDS OFFICE

Mr Nathan Lowde
Rugby Borough Council
Evreux Way
Rugby
Warwickshire
CV21 2RR

Direct Dial: 0121 625 6857

Our ref: P00457747

10 June 2015

Dear Mr Lowde

Arrangements for Handling Heritage Applications Direction 2015 & T&CP (Development Management Procedure) (England) Order 2015

LAND AT CESTERSOVER FARM, LUTTERWORTH ROAD, CHURCHOVER, RUGBY, CV23 0QP

Application No R15/0908

Thank you for your letter of 7 May 2015 notifying Historic England of the above application.

Summary

The site consists of farmland to the north-east of the village of Churchover. The most significant heritage assets in the vicinity of the proposals are the Churchover village Conservation Area, at the heart of which lies the grade II* parish church and a number of grade II listed buildings. The proposed turbines are large, with a tip height of 126m. Historic England places the level of harm on the setting of the church and the Conservation Area as towards the upper end of less than substantial, sufficient for us to object to the scheme.

Historic England Advice

The site consists of farmland to the north-east of the village of Churchover with extensive areas of medieval ridge and furrow preserved under pasture. The most significant heritage assets in the vicinity of the proposals are the Churchover village Conservation Area, at the heart of which lies the grade II* parish church and a number of grade II listed buildings. The village sits on an eminence and lies within a bowl where it is a prominent feature from many directions, with the spire of the church clearly visible.

What I have to say here substantially repeats my comments of 23 December 2013 when I commented on the previous application (the subject of an appeal), which is virtually the same as this one. The scheme proposes four large wind turbines, with a tip height of 126m sited on the land to the north of the village. The application contains



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk



WEST MIDLANDS OFFICE

an extensive analysis of the designated heritage assets which lie in the area near the site, but here I will concentrate on the assets most significant assets, the church and the Conservation Area.

Chapter 10 of the Environmental Statement prepared in 2013 used the methodology set out in English Heritage's guidance on assessing the setting of heritage assets, now superseded by Good Practice Advice Note 3 (as noted in the applicant's supplementary environmental information submission dated May 2015). We disagree with the statement that the value of the church is 'primarily historical and evidential'. The church obviously has its place in the historic landscape which feeds into the historical values and as an object in its own right it possesses evidential value. However, its relationship to the surrounding historic landscape (represented partly by the medieval agricultural landscape of ridge and furrow) is both evidential and aesthetic. It is a notable feature in the landscape, in that it dominates views into the village both from and across the site of the proposed wind turbines. There is also a strong communal value in the parish church as the centre of communal life throughout its history.

The distant wind turbines, particularly to the north-east, have an impact on the setting of the heritage assets, however not to any major degree. However, they do emphasise the prominence of similar sized wind turbines at a distance of several kilometres.

Overall, the setting of the church offers an important contribution to the significance of the church. Thus the intrusion into that setting that these four large turbines will form constitutes harm to the significance of the church. We would place the level of harm towards the upper end of less than substantial. I would extend a similar level of harm to the impact of the proposal on the significance of the Conservation Area as well, and thus to be subjected to the same tests.

Thus the scheme needs to fulfil the tests set out in the first part of paragraph 132 and in paragraph 134 of the NPPF. Since the issuing of the NPPF there has been a very pertinent legal decision: the Judicial Review of the Barnwell Manor Wind Energy Ltd case, issued on 18 February 2014, conveniently available at:
<http://cornerstonebarristers.com/wp-content/uploads/2014/02/Barnwell-v-East-Northamptonshire-DC-Judgment.pdf>.

Whilst the circumstances of every case are different I would draw particular attention to the judges' consideration of section 66 of the 1990 Act with respect to the setting of listed buildings, and that less than substantial harm can be of sufficient gravity to justify a refusal.

Recommendation

The impact of the proposals on the significance of the heritage assets is serious



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk





Historic England

WEST MIDLANDS OFFICE

enough for Historic England to object to the scheme and to recommend refusal on those grounds. The application should thus be referred to the Secretary of State if you are minded to approve it (as set out in *Statutory Instrument 2015 no 809*).

Yours sincerely

Nicholas Molyneux

Principal Inspector of Historic Buildings and Areas

E-mail: nicholas.molyneux@HistoricEngland.org.uk

cc



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk

