

BELVOIR SOLAR FARM,
NG32 1PE

HERITAGE STATEMENT

PREPARED BY PEGASUS GROUP
ON BEHALF OF JBM SOLAR PROJECTS 10 LTD

P19-2022 | JANUARY 2022

Document Management				
Version	Date	Author	Checked/approved by:	Reason for revision
1	November 2020	Dr Elizabeth Pratt (Senior Heritage Consultant) and Simon Britt (Principal Heritage Consultant)	Gail Stoten (Executive Director – Heritage)	-
2	April 2021	Dr Elizabeth Pratt (Senior Heritage Consultant) and Simon Britt (Principal Heritage Consultant)	Gail Stoten (Executive Director – Heritage)	Update following pre-application advice.
3	January 2022	Dr Elizabeth Pratt (Senior Heritage Consultant) and Simon Britt (Principal Heritage Consultant)	Gail Stoten (Executive Director – Heritage)	Update following revision to redline boundary and further consultation responses.

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DESIGN | **ENVIRONMENT** | **PLANNING** | **ECONOMICS** | **HERITAGE**

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Prepared by: Dr Elizabeth Pratt MCIfA and Simon Britt MRTPI IHBC

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1. Introduction

- 1.1 Pegasus Group were commissioned by JBM Solar Projects 10 Ltd to prepare a Heritage Statement, consolidating the findings of archaeological desk-based assessment, geophysical survey, and setting assessments, to consider proposals for a solar farm near Bottesford in Leicestershire (Plate 1).

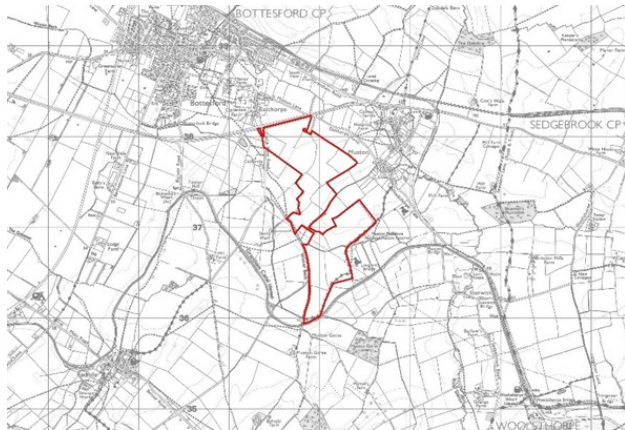


Plate 1: Site location plan

- 1.2 The description of the development is as follows:

"Installation and operation of a renewable energy generating station comprising ground mounted photovoltaic solar arrays together with switchgear

container, inverter/transformer units, DNO Substation, Site access, internal access tracks, security measures, access gates, other ancillary infrastructure and landscaping and biodiversity enhancements."

- 1.3 This Heritage Statement provides information with regards to the significance of the historic environment, to fulfil the requirement given in paragraph 194 of the Government's National Planning Policy Framework (the NPPF¹) which requires:

"an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting."²

- 1.4 In order to inform an assessment of the acceptability of the scheme in relation to impacts to the historic environment, following paragraphs 199 to 203 of the NPPF, any harm to the historic environment resulting from the proposed development is also described, including impacts to significance through changes to setting.

- 1.5 As required by paragraph 194 of the NPPF, the detail and assessment in this Report is considered to be "*proportionate to the asset's importance*"³.

¹ Ministry of Housing, Communities and Local Government (MHCLG), National Planning Policy Framework (NPPF) (London, July 2021).

² MHCLG, NPPF, paragraph 194.

³ MHCLG, NPPF, paragraph 194.

2. Site Description and Planning History

Site Description

- 2.1 The site comprises approximately 105ha of farmland to the south of Bottesford and to the west and south-west of Muston. At the northern boundary of the site is the A52 road that runs between Nottingham and Grantham; beyond the southern boundary of the site is the disused Grantham Canal. The upper section of the western boundary of the site is marked by Castle View Road; the lower section by a watercourse known as Winter Beck. A no-through road called Easthorpe Lane abuts the north-eastern boundary of the site. although the majority of the site of separated from the Lane by intervening fields.

Planning History

- 2.2 No previous planning history for the site was found among the online planning records held by Melton Borough Council.

3. Methodology

- 3.1 The aims of this Heritage Statement are to assess the significance of the heritage resource within the site, to assess any contribution that the site makes to the heritage significance of the surrounding heritage assets, and to identify any harm or benefit to them which may result from the implementation of the development proposals, along with the level of any harm caused, if relevant.
- 3.2 This assessment considers the archaeological resource, built heritage and the historic landscape. It summarises the results of a geophysical survey undertaken by ASWYAS; for details of the survey methodology and a full analysis of the survey results, the reader is directed to the technical report to be submitted with the planning application.

Sources of information and study area

- 3.3 The following key sources have been consulted as part of this assessment:
 - The National Heritage List for England for information on designated heritage assets;
 - The Leicestershire Historic Environment Record (HER) for information on the recorded heritage resource and previous archaeological works;

- The Lincolnshire Historic Environment Record (HER) for information on the recorded heritage resource and previous archaeological works;
- Archival sources, including historic maps, held at the Leicestershire, Leicester and Rutland Record Office;
- Online resources including Ordnance Survey Open Source data; geological data available from the British Geological Survey and Cranfield University's Soilscales Viewer; and Google Earth satellite imagery;
- The geophysical survey report for the site, prepared by ASWYAS.

3.4 For digital datasets, information was sourced for a 1km study area measured from the boundaries of the original iteration of the site boundary (which included additional land to the north-east). Information gathered is discussed within the text where it is of relevance to the potential heritage resource of the site. A gazetteer of recorded sites and findspots is included as Appendix 1 and maps illustrating the resource and study area are included as Appendix 2.

3.5 Historic cartographic sources were reviewed for the site, and beyond this where professional judgement deemed necessary.

- 3.6 The interpretation plot from the geophysical survey of the site is included as Appendix 3 for ease of cross-reference.
- 3.7 Heritage assets in the wider area were assessed as deemed appropriate (see Section 6).

Site Visit

- 3.8 A site visit was undertaken by Dr Elizabeth Pratt, Senior Heritage Consultant from Pegasus Group, on 29th August 2020 and by Simon Britt, Principal Built Heritage Consultant on 17th September 2019 and 15th February 2021, during which the site and its surrounds were assessed. Selected heritage assets were assessed from publicly accessible areas and private areas at Belvoir Castle. The conditions were clear and so it was possible to establish intervisibility between the site and nearby designated heritage assets.

Photographs & Photomontages

- 3.9 Photographs included in the body text of this report are for illustrative purposes only to assist in the discussions of heritage assets, their settings, and views, where relevant. Unless explicitly stated they are not accurate visual representations of the development proposals or conform to any standard or guidance i.e., the Landscape Institute

Technical Guidance Note 06/19. However, photographs are intended to be an honest representation and are taken without the use of a zoom lens or edited, unless stated in the description or caption.

- 3.10 Verified photographs and photomontages showing the proposed developing at 1 year and 5 years post construction are shown in the Heritage Photomontages in **Appendix 15**.

Assessment of significance

- 3.11 In the NPPF, heritage 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. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance."*⁴

- 3.12 Historic England's *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2*⁵ (hereafter GPA 2) gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.

⁴ MHCLG, NPPF, p. 71.

⁵ Historic England, *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2* (2nd edition, Swindon, July 2015).

3.13 In order to do this, GPA 2 also advocates considering the four types of heritage value an asset may hold, as identified in English Heritage’s *Conservation Principles*.⁶ These essentially cover the heritage ‘interests’ given in the glossary of the NPPF⁷ and the online Planning Practice Guidance on the Historic Environment⁸ (hereafter ‘PPG’) which are ***archaeological, architectural and artistic*** and ***historic***.

3.14 The PPG provides further information on the interests it identifies:

- **Archaeological interest:** “As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.”
- **Architectural and artistic interest:** “These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture.”
- **Historic interest:** “An interest in past lives and events

(including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation’s history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.”⁹

3.15 Significance results from a combination of any, some or all of the interests described above.

3.16 The most-recently issued guidance on assessing heritage significance, Historic England’s *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12*,¹⁰ advises using the terminology of the NPPF and PPG, and thus it is that terminology which is used in this Report.

3.17 Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

Setting and significance

3.18 As defined in the NPPF:

⁶ English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These heritage values are identified as being ‘aesthetic’, ‘communal’, ‘historical’ and ‘evidential’, see *idem* pp. 28–32.

⁷ MHCLG, NPPF, p. 71.

⁸ Ministry of Housing Communities and Local Government (MHCLG), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

⁹ MHCLG, PPG, paragraph 006, reference ID: 18a-006-20190723.

¹⁰ Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (Swindon, October 2019).

"Significance derives not only from a heritage asset's physical presence, but also from its setting."¹¹

3.19 Setting is defined 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."¹²

3.20 Therefore, setting can contribute to, affect an appreciation of significance, or be neutral with regards to heritage values.

Assessing change through alteration to setting

3.21 How setting might contribute to these values has been assessed within this Report with reference to *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3*¹³ (henceforth referred to as 'GPA 3'), particularly the checklist given on page 11. This advocates the clear articulation of "what matters and why".¹⁴

3.22 In GPA 3, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess whether, how and to what degree settings make a contribution to the significance of the

heritage asset(s) or allow significance to be appreciated. The guidance includes a (non-exhaustive) checklist of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists aspects associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

3.23 Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to maximise enhancement and minimise harm. Step 5 is to make and document the decision and monitor outcomes.

3.24 A Court of Appeal judgement has confirmed that whilst issues of visibility are important when assessing setting, visibility does not necessarily confer a contribution to significance and also that factors other than visibility should also be considered, with Lindblom LJ stating at paragraphs 25 and 26 of the judgement (referring to an earlier Court of Appeal judgement)¹⁵:

Paragraph 25 – "But – again in the particular context of visual effects – I said that if "a proposed

¹¹ MHCLG, NPPF, p. 71.

¹² MHCLG, NPPF, p. 71.

¹³ Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017).

¹⁴ Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017), p. 8.

¹⁵ *Catesby Estates Ltd. V. Steer* [2018] EWCA Civ 1697, para. 25 and 26.

development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape” (paragraph 56)”.

Paragraph 26 – “This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of course, the decision-maker will be concentrating on visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognizes the potential relevance of other considerations – economic, social and historical. These other considerations may include, for example, “the historic relationship between places”. Historic England’s advice in GPA3 was broadly to the same effect.”

Levels of significance

3.25 Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings will be discussed with

reference to the building, its setting and any features of special architectural or historic interest which it possesses.

3.26 In accordance with the levels of significance articulated in the NPPF and the PPG, three levels of significance are identified:

- Designated heritage assets of the highest significance, as identified in paragraph 194 of the NPPF, comprising Grade I and II* Listed buildings, Grade I and II* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 63 of the NPPF;
- Designated heritage assets of less than the highest significance, as identified in paragraph 194 of the NPPF, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas); and
- Non-designated heritage assets. Non-designated heritage assets are defined within the PPG as “buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets”.¹⁶

3.27 Additionally, it is of course possible that sites, buildings or areas have ***no heritage significance***.

¹⁶ MHCLG, PPG, paragraph 039, reference ID: 18a-039-20190723.

Assessment of harm

3.28 Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

3.29 In order to relate to key policy, the following levels of harm may potentially be identified for designated heritage assets:

- Substantial harm or total loss. It has been clarified in a High Court Judgement of 2013 that this would be harm that would “have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced”;¹⁷ and
- Less than substantial harm. Harm of a lesser level than that defined above.

3.30 With regards to these two categories, the PPG states:

“Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.”¹⁸

3.31 Hence, for example, harm that is less than substantial would

be further described with reference to where it lies on that spectrum or scale of harm, for example low end, middle of the spectrum and upper end of the less than substantial harm scale.

3.32 With regards to non-designated heritage assets, there is no basis in policy for describing harm to them as substantial or less than substantial, rather the NPPF requires that the scale of any harm or loss is articulated. As such, harm to such assets is articulated as a level of harm to their overall significance, with levels such as negligible, minor, moderate and major harm identified.

3.33 It is also possible that development proposals will cause **no harm or preserve** the significance of heritage assets. A High Court Judgement of 2014 is relevant to this. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, ‘preserving’ means doing ‘no harm’.¹⁹

3.34 Preservation does not mean no change; it specifically means no harm. GPA 2 states that “*Change to heritage assets is inevitable but it is only harmful when significance is*

¹⁷ *Bedford Borough Council v Secretary of State for Communities and Local Government* [2013] EWHC 2847 (Admin), para. 25.

¹⁸ MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

¹⁹ *R (Forge Field Society) v Sevenoaks District Council* [2014] EWHC 1895 (Admin).

damaged".²⁰ Thus, change is accepted in Historic England's guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

3.35 As part of this, setting may be a key consideration. For an evaluation of any harm to significance through changes to setting, this assessment follows the methodology given in GPA 3, described above. Again, fundamental to the methodology set out in this document is stating "what matters and why". Of particular relevance is the checklist given on page 13 of GPA 3.

3.36 It should be noted that this key document also states that:

"Setting is not itself a heritage asset, nor a heritage designation..."²¹

3.37 Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage values that contribute to this significance, through changes to setting.

3.38 With regards to changes in setting, GPA 3 states that:

"Conserving or enhancing heritage assets by taking their settings into account need not prevent change".²²

3.39 Additionally, it is also important to note that, as clarified in the Court of Appeal, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require Planning Permission to be refused.²³

Benefits

3.40 Proposed development may also result in public benefits. The NPPF (at Paragraphs 201 and 202) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.

3.41 The Planning Practice Guidance states that:

"Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit."²⁴

²⁰ Historic England, GPA 2, p. 9.

²¹ Historic England, GPA 3, p. 4.

²² Historic England, GPA 3., p. 8.

²³ Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061.

²⁴ MCHLG, Planning Practice Guidance Paragraph: 020 Reference ID: 18a-020-20190723

4. Planning Policy Framework

4.1 This section of the Report sets out the legislation and planning policy considerations and guidance contained within both national and local planning guidance which specifically relate to the site, with a focus on those policies relating to the protection of the historic environment.

Legislation

4.2 Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*,²⁵ which provides statutory protection for Listed Buildings and Conservation Areas.

4.3 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

*"In considering whether to grant planning permission [or permission in principle] 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."*²⁶

4.4 In the 2014 Court of Appeal judgement in relation to the Barnwell Manor case, Sullivan LJ held that:

*"Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carries out the balancing exercise."*²⁷

4.5 A judgement in the Court of Appeal ('Mordue') has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134 of the 2012 draft of the NPPF, the requirements of which are now given in paragraph 196 of the revised NPPF, see below), this is in keeping with the requirements of the 1990 Act.²⁸

4.6 With regards to development within Conservation Areas, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

"In the exercise, with respect to any buildings or other land in a conservation area, of any powers

²⁵ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

²⁶ Planning (Listed Buildings and Conservation Areas) Act 1990, Section 66(1).

²⁷ Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others [2014] EWCA Civ 137. para. 24.

²⁸ Jones v Mordue [2015] EWCA Civ 1243.

under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

- 4.7 Unlike Section 66(1), Section 72(1) of the Act does not make reference to the setting of a Conservation Area. This makes it plain that it is the character and appearance of the designated Conservation Area that is the focus of special attention.
- 4.8 Scheduled Monuments are protected by the provisions of the *Ancient Monuments and Archaeological Areas Act 1979* which relates to nationally important archaeological sites.²⁹ Whilst works to Scheduled Monuments are subject to a high level of protection, it is important to note that there is no duty within the 1979 Act to have regard to the desirability of preservation of the setting of a Scheduled Monument.
- 4.9 In addition to the statutory obligations set out within the Planning (Listed Buildings and Conservations Area) Act 1990, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.³⁰

National Planning Policy Guidance

The National Planning Policy Framework (July 2021)

- 4.10 National policy and guidance is set out in the Government’s National Planning Policy Framework (NPPF) published in July 2021. This replaced and updated the previous NPPF 2019. The NPPF needs to be read as a whole and is intended to promote the concept of delivering sustainable development.
- 4.11 The NPPF sets out the Government’s economic, environmental and social planning policies for England. Taken together, these policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The NPPF continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.
- 4.12 The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the ‘presumption’) sets out the tone of the Government’s overall stance and operates with and through the other policies of the NPPF. Its purpose is to send a strong

²⁹ UK Public General Acts, Ancient Monuments and Archaeological Areas Act 1979.

³⁰ UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).

signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

- 4.13 The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF sets out three 'objectives' to facilitate sustainable development: an economic objective, a social objective, and an environmental objective. The presumption is key to delivering these objectives, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the NPPF. The presumption is set out in full at paragraph 11 of the NPPF and reads as follows:

"Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a. all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*

- b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

For decision-taking this means:

- a. approving development proposals that accord with an up-to-date development plan without delay; or*
- b. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. the application policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when*

*assessed against the policies in this Framework taken as a whole.*³¹

4.14 However, it is important to note that footnote 7 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

*"The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 180) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.*³² (our emphasis)

4.15 The NPPF continues to recognise that the planning system is plan-led and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

4.16 Heritage Assets are defined in the NPPF 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. It includes designated heritage assets and assets identified by the local planning

*authority (including local listing).*³³

4.17 The NPPF goes on to define a Designated Heritage Asset as a:

*"World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation."*³⁴ (our emphasis)

4.18 As set out above, significance is also 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. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance."*³⁵

4.19 Section 16 of the NPPF relates to 'Conserving and enhancing the historic environment' and states at paragraph 195 that:

"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict

³¹ MHCLG, NPPF, para. 11.

³² MHCLG, NPPF, para. 11, fn. 7.

³³ MHCLG, NPPF, p. 67.

³⁴ MHCLG, NPPF, p. 66.

³⁵ MHCLG, NPPF, pp. 71-72.

*between the heritage asset's conservation and any aspect of the proposal.*³⁶

4.20 Paragraph 197 goes on to state that:

"In determining planning applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c. the desirability of new development making a positive contribution to local character and distinctiveness.*³⁷

4.21 With regard to the impact of proposals on the significance of a heritage asset, paragraphs 199 and 200 are relevant and read as follows:

*"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*³⁸

³⁶ MHCLG, NPPF, para. 195.

³⁷ MHCLG, NPPF, para. 197.

"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a. grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b. assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*³⁹

4.22 Section b) of paragraph 200, which describes assets of the highest significance, also includes footnote 68 of the NPPF, which 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.

4.23 In the context of the above, it should be noted that paragraph 201 reads as follows:

"Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that

³⁸ MHCLG, NPPF, para. 199.

³⁹ MHCLG, NPPF, para. 200.

harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site; and*
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.”⁴⁰*

4.24 Paragraph 202 goes on to state:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”⁴¹

4.25 The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 206 that:

“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that

preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”⁴²

4.26 Paragraph 207 goes on to recognise that “*not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance*”⁴³ and with regard to the potential harm from a proposed development states:

“Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 200 or less than substantial harm under paragraph 201, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.”⁴⁴ (our emphasis)

4.27 With regards to non-designated heritage assets, paragraph 203 of NPPF states that:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”⁴⁵

⁴⁰ MHCLG, NPPF, para. 201.

⁴¹ MHCLG, NPPF, para. 202.

⁴² MHCLG, NPPF, para. 206.

⁴³ MHCLG, NPPF, para. 207.

⁴⁴ Ibid.

⁴⁵ MHCLG, NPPF, para. 203.

- 4.28 Footnote 68 of the NPPF clarifies that non-designated assets of archaeological interest which are demonstrably of equivalent significance to a Scheduled Monument will be subject to the policies for designated heritage assets.
- 4.29 Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities (LPAs) should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

National Planning Practice Guidance

- 4.30 The then Department for Communities and Local Government (now the Ministry for Housing, Communities and Local Government (MHCLG)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.
- 4.31 This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of

planning practice guidance documents to be read alongside the NPPF.

- 4.32 The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of 'significance' in decision taking is important and states:

"Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals."⁴⁶

- 4.33 In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

"In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

⁴⁶ MHCLG, PPG, paragraph 007, reference ID: 18a-007-20190723.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.”⁴⁷ (our emphasis)

Local Planning Policy

Adopted Policy

4.34 Planning applications within Melton Borough are currently considered against the policy and guidance set out within the Melton Local Plan 2011–2036, adopted 2018.

4.35 Policy EN13 Heritage Assets states:

“The NPPF provides national policy for considering proposals which affect a heritage asset. This includes the need to assess the effect of a proposal on the significance of an asset and the need for a balanced judgment about the scale of any harm or loss and the significance of the heritage asset.

Melton Borough has a number of important historic assets. These include Listed Buildings, Conservation Areas, Scheduled Monuments (SMs) and non-designated heritage assets (ranging from nationally to locally important heritage features).

The Borough of Melton contains heritage assets that are at risk through neglect, decay or other threats. These will be conserved, protected and where possible enhanced.

The Council will take a positive approach to the conservation of heritage assets and the wider historic environment through:

A) seeking to ensure the protection and enhancement of Heritage Assets including non-designated heritage assets when considering proposals for development affecting their significance and setting. Proposed development should avoid harm to the significance of historic sites, buildings or areas, including their setting.

B) seeking new developments to make a positive contribution to the character and distinctiveness of the local area.

C) ensuring that new developments in conservation areas are consistent with the identified special character of those areas, and seeking to identify new conservation areas, where appropriate;

D) seeking to secure the viable and sustainable future of heritage assets through uses that are consistent with the heritage asset and its conservation;

E) allowing sustainable tourism opportunities in Heritage Assets in the Borough where the uses are appropriate and would not undermine the integrity or significance of the heritage asset: and

F) the use of Article 4 directions where appropriate.

⁴⁷ MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

G) taking account of any local heritage assets listed in Neighbourhood Plans.”

Local Plan Policies with regards to the NPPF and the 1990 Act

4.36 With regard to Local Plan policies, paragraph 213 of NPPF states that:

“...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”⁴⁸

4.37 In this context, where local plan policy was adopted well before the NPPF, and does not allow for the weighing of harm against public benefit for designated heritage assets (as set out within paragraph 196 of the NPPF) or a balanced judgement with regards to harm to non-designated heritage assets (see NPPF paragraph 197) then local planning policies would be considered to be overly restrictive compared to the NPPF, thus limiting the weight they may be given in the decision-making process.

4.38 With regards to the Melton Borough Local Plan, it was adopted after the inception of the NPPF and Policy EN13 allows for the balancing exercise to be undertaken. As such,

the policies are not considered to reflect the guidance within the NPPF and thus the weight that can be attached to them in the decision-making process is limited.

Other Guidance

4.39 Relevant other guidance includes:

- Historic England 2015c Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning 2.
- Historic England 2017b The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning Note 3 (Second Edition).
- Historic England 2021 Commercial renewable energy development and the historic environment Historic England Advice Note 15.

⁴⁸ MHCLG, NPPF, p. 213.

5. The Historic Environment

5.1 This section provides a review of the recorded heritage resource within the site and its vicinity in order to identify any extant heritage assets within the site and to assess the potential for below-ground archaeological remains.

5.2 Designated heritage assets are referenced using their seven-digit NHLE number; Leicestershire HER 'event' and 'monument' numbers are referenced using the prefixes 'ELE' and 'MLE'; and Lincolnshire HER 'monument' numbers are referenced using the prefix 'MLI' (there are no 'event' records for the study area).

5.3 A gazetteer of relevant heritage data is included as Appendix 1. Designated heritage assets and HER records are illustrated on Figures 2, 3, and 6 in Appendix 2.

Previous Archaeological Works

5.4 No previous archaeological works are recorded within the site by the Leicestershire HER. However, several 'events' are recorded within the vicinity (Figure 2).

5.5 In 1988 and 2002, fieldwalking and excavations were carried out along the route of and either side of the A52 bypass to the north of the site (ELE1049, ELE3471, ELE1060,

ELE4718).

5.6 Of the three events recorded at Muston, to the east of the site, two comprise watching briefs undertaken during construction work at Main Street and the other consists of a research project into gargoyles at the Church of St John the Baptist.

5.7 The other events are recorded at Easthorpe and Bottesford to the north-west of the site and include desk-based assessments, geophysical surveys, trial trench evaluations, and watching briefs carried out for proposed and/or permitted development between 2010 and 2018.

5.8 The results of previous archaeological works are discussed below, where relevant to the potential archaeological resource of the site.

Topography and Geology

5.9 The eastern part of the site occupies the slopes of an area of high ground on which the village of Muston is located (Figure 1). From here, the land of the site falls to the north, west and south. A watercourse, called Winter Beck, traces the lower section of the western boundary of the site.

5.10 According to the British Geological Survey the bedrock geology of the northern part of the site comprises interbedded mudstone and limestone of the Beckingham Member, while the remainder of the site comprises alternating bands of limestone of the Littlegates Limestone Bed and interbedded mudstone and limestone of the Foston Member. No superficial deposits are recorded except for an incursion of head deposits of clay, silt, sand and gravel in the south-eastern part of the site.

5.11 According to the Cranfield University Soilscape viewer the north-western corner of the site is characterised by loamy soils with naturally high groundwater, the southern part by Slowly permeable seasonally wet slightly acid but base-rich loamy and clayey soils, and the remainder by lime-rich loamy and clayey soils with impeded drainage.

Archaeological Baseline

Prehistoric (pre-43 AD) and Romano-British (AD 43 - 410)

5.12 Mesolithic and Neolithic worked stone tools were found during fieldwalking along the route of the A52 bypass, in fields c.250m north-east from the north-eastern corner of the site and c.250m from the north-western corner of the site (MLE7067, MLE16467, MLE16155). These finds demonstrate some level of activity in the area during these earlier prehistoric periods.

5.13 In the north-western corner of the site, between Castle View Road and the A52, the Leicestershire HER records the cropmarks of a possible Bronze Age ring ditch and associated linear ditches (MLE3405) and a possible Iron Age sub-rectangular enclosure (MLE3404). The geophysical survey undertaken to inform this assessment detected anomalies corresponding to such features in this location, as well as in the neighbouring field to the north-east where they resemble two other sub-rectangular enclosures (Appendix 3).

5.14 Further evidence of prehistoric activity is recorded c.270m north-east of the site, on the north side of Easthope Lane. Cropmarks of a possible ring ditch and at least one enclosure are visible on historic aerial photographs; and an excavation carried out in 1988 revealed one enclosure containing evidence for ironworking; it was in use during the Iron Age and perhaps the Roman period, before being infilled during the Saxon period (MLE3402, MLE3400).

5.15 Another cropmark of a sub-rectangular enclosure of possible Iron Age origin, is recorded on Toston Hill c.700m south-west of the north-western part of the site (MLE3406). Roman findspots recorded within the study area include 47 coins and 3 brooches collected during fieldwalking along the route of the A52 bypass c.250m from the north-western corner of the site (MLE16464, MLE16156), where possible evidence for iron smelting was also recorded; and pottery sherds found at Muston (MLE18816) and Easthorpe (MLE3430).

Early medieval (410 AD – 1066) and Medieval (1066 – 1539)

- 5.16 The 1988 excavation of the enclosure on the north side of Easthorpe Lane (see 5.14) recovered sherds of Anglo-Saxon pottery from the upper ditch fills (MLE3400). In 2001, Anglo-Saxon pottery was found in fields beside the A52, c.250m north-west of the north-western corner of the site (MLE16466). In 2002, part of the head of an Anglo-Saxon cruciform brooch was discovered in the north-western corner of the site (MLE9243).
- 5.17 Earthworks in pasture fields at California, on the opposite side of Castle View Road to the north-western corner of the site, are interpreted by the HER as the possible remains of the deserted medieval village of Toston (MLE9845). The village is referred to as *Toxtonhyl* in 1304⁴⁹; Toston Hill lies c.650m to the south-west of California.
- 5.18 Earthworks of medieval occupation and activity elsewhere within the study area include a moated grange with building platforms, internal fishpond, and hollow-way on the west side of Muston, c.340m from the north-eastern corner of the site (MLE16636); a possible duck decoy c.250m from the north-eastern corner of the site (MLE3422); a moated site and crofts and tofts on the north and west side of Easthorpe, c.550m north-west of the site (MLE3429, MLE23433); and

the settlement of Stenwith, c.950m south-east of the site (MLI30071).

- 5.19 None of the HER polygons defining the areas of these earthworks encroach into the site and there is no other suggestion from currently available sources that the settlements of Muston or Easthorpe ever extended into the site. The geophysical survey of the site has detected only traces of ridge and furrow from historic ploughing, indicating that the site comprised part of the agricultural hinterland of Muston and Easthorpe during the early medieval and/or medieval periods.

Post-medieval (1540 – 1800) and Modern (1801 – present)

- 5.20 Post-medieval infrastructure recorded within the study area includes the mid-18th-century turnpike road between Nottingham and Grantham, c.380m north-east of the site (MLE20913); the late 18th-century Grantham Canal, which abuts the southern tip of the site (MLE9091, MLI89128); the early 19th-century private Belvoir Castle freight railway immediately south of the site, which transported coal from the Canal to the Castle (MLE333); and the mid-19th-century Great Northern Railway, c.570m north of the site (MLE16081).

⁴⁹ Hoskins, W. G., 1945. 'The deserted villages of Leicestershire' in The Transactions of the Leicestershire Archaeological Society, Vol. 22.

- 5.21 The site would have remained as farmland throughout the post-medieval period; historic landscape characterisation has classed the site as piecemeal enclosure, indicating a gradual process of enclosure from the medieval open fields. The earliest available historic mapping of the site is the 1772 enclosure map for the parish of Bottesford, which covers the north-western corner of the site (not reproduced), and the 1849 tithe map for the parish of Muston, which covers the remainder of the site (Figure 4). No tithe mapping for Bottesford is available online.
- 5.22 The Bottesford enclosure map shows the north-western corner of the site to be divided into two fields (a different layout to what exists today), both of which were owned by the Duke of Rutland (Belvoir Castle). The Muston tithe map shows the rest of the site to be divided into a greater number of fields than exist today, but no buildings are shown. This land was also part of the Belvoir Estate (as is still the case) and split between three tenancies associated with adjacent farms along Woolsthorpe Lane on the south-west side of Muston. These farms are named Spray Farm, Peacock Farm and Mountain Ash Farm on 20th-century maps.
- 5.23 The first edition Ordnance Survey mapping of the 1880s and 1890s documents the removal of some internal field boundaries within the site, shows a track extending on a south-westerly alignment through the site, and depicts ponds in the fields in the eastern part of the site (Figure 5).

Subsequent editions of the Ordnance Survey indicate very few changes to the layout of the site since the late-19th century, but the geophysical survey detected some former field boundaries (Appendix 3).

Statement of Archaeological Potential and Significance

- 5.24 Cropmarks and geophysical survey anomalies indicate the buried remains of a ring ditch, a pit alignment, and three sub-rectangular enclosures in the north-western part of the site. The morphology of these features is consistent with Iron Age and/or Romano-British settlement activity.
- 5.25 Such remains would be of some heritage significance as derived from their archaeological interest and are likely to constitute non-designated heritage assets. They are not considered to be of a significance commensurate with a designated heritage asset (i.e., a Scheduled Monument).
- 5.26 Given the previous discovery of part of an Anglo-Saxon cruciform brooch within the site, and the proximity of other Saxon features and finds to the north-east and the possible deserted medieval village of Toston to the north-west, there is potential for evidence of Saxon to medieval activity within the site. However, any unstratified artefacts in the ploughsoil would not be considered heritage assets.
- 5.27 Current evidence indicates that the site has comprised part of the historic agricultural hinterland of nearby settlement

throughout the early medieval, medieval, post medieval and modern periods. The geophysical survey detected buried plough furrows, ditches and former field boundaries. Such remains typically would be of insufficient significance to constitute heritage assets.

- 5.28 Based on currently available information, there is no indication of the presence within the site of above- or below-ground heritage remains of a significance that would pose an overriding constraint to the development of the site.

Designated Heritage Assets

- 5.29 No designated heritage assets are located within the site. Within a 1km radius of the site are three Scheduled Monuments and ten Listed Buildings, but no Conservation Areas, Registered Parks and Gardens, or Registered Battlefields.
- 5.30 The Scheduled Monuments comprise the earthwork remains of the medieval villages of Easthorpe and Muston, c.475m north-west of the site and c.350m north-east of the site respectively and the village cross at Muston, c.380m east of the site.
- 5.31 Eight of the Listed Buildings are found at Muston, to the east of the site. Two of these, the Church of St John the Baptist and the Village Cross are Grade II* Listed; the remainder, which include Peacock Farm (see 5.22), are Grade II Listed.

The two other Listed Buildings within the study area, both Grade II, lie within Easthorpe Conservation Area to the north-west of the site.

- 5.32 Other designated heritage assets lie beyond the 1km study area. At Bottesford, there are a total of 28 Listed Buildings including the Grade I Listed Church of St Mary. At Belvoir, there are a total of 20 Listed Buildings including the Grade I Listed Belvoir Castle, as well as the Castle's Grade II* Registered Park and Garden and the Scheduled Monument of Old St James' Church at its eastern edge.
- 5.33 Designated heritage assets potentially sensitive to the proposed development are considered in further detail in Section 7 below.

The Historic Landscape

5.34 The Historic Landscape Characterisation Project⁵⁰ records the site as being ‘*piecemeal enclosure*’, although historic maps suggest that the field boundaries have been reorganised in parts.

5.35 The published Landscape Character Areas describe the landscape and provide details on how the landscape developed and is experienced. The site lies within **National Character (NCA) 48 – The Trent and Belvoir Vales**.⁵¹

5.36 Extracts of key characteristics of the Trent and Belvoir Vales NCA, as identified by Natural England, that are relevant to this report are:

- “A gently undulating and low-lying landform in the main, with low ridge dividing shallow, broad river valleys, vales and flood plains.
- Agriculture is the dominant land use, with most farmland being used for growing cereals, oil seeds and other arable crops.
- A regular pattern of medium to large fields enclosed by hawthorn hedgerows, and ditches in low-lying areas, dominates the landscape.
- Extensive use of red bricks and pantiles in the 19th century has contributed to the consistent character

of traditional architecture within villages and farmsteads across the area.

- A predominantly rural and sparsely settled area with small villages and dispersed farms linked by quiet lanes.”

5.37 The site borders **National Character Area 74 – Leicestershire and Nottinghamshire Wolds** ⁵², which includes Belvoir Castle and the Registered Park and Garden. Extracts of key characteristics of the Trent and Belvoir Vales NCA, as identified by Natural England, that are relevant to this report are:

- “A range of rolling hills, with elevated plateaux, narrow river valleys and distinctive scarp slopes.
- Sparse woodland cover except for wooded scarps. Elsewhere, spinneys, fox coverts, hedgerows, hedgerow trees and streamside trees provide moderate cover.
- Agricultural land use dominates with arable farming on the plateaux tops.
- Agricultural land use has diminished semi-natural habitat although important habitats do remain, including species-rich neutral grasslands, wet meadows, parkland, reservoirs, rivers and streams, and pasture on steep sloping valley sides.

⁵⁰ Leicestershire County Council, 2019. The Leicestershire, Leicester and Rutland Historic Landscape Characterisation Project

⁵¹ Natural England, 2014. National Character Area Profile. 48 Trent and Belvoir Vales.

⁵² Natural England, 2014. National Character Area Profile. 74 Leicestershire and Nottinghamshire Wolds

- *Evidence of many deserted and shrunken settlements, as well as extensive areas of ridge and furrow separate small villages and farms linked by country lanes with wide verges.*
- *Red brick buildings with pantile roofs are widespread and most*
- *abundant clustered around churches, which are constructed from ironstone and limestone contributing to the local vernacular.*
- *Urban influences include overhead lines, mineral extraction sites, airfields and the busy A46 and A60 although these do not weaken the rural character."*

5.38 Melton Borough Council published its landscape character assessment in 2006⁵³ with a subsequent update in 2011.⁵⁴ The '**Melton Borough Landscape & Historic Urban Character Assessment Report' (2006)** identifies twenty-one landscape character areas within the Borough. The site falls within the Landscape Character Area (**LCA 1 Vale of Belvoir**), which covers much of the immediate surrounding landscape, to the north of the village of Bottesford and to the south of the A52, covering parts of the southern and western part of the study area. Nearby Bottesford and village of Muston fall within the **LCA 2 Bottesford**. The eastern extent of these two LCAs is defined by the administrative boundaries of the Council. **LCA 9 Parkland** is the second closest LCA

within the Melton boundary, as identified in the published report and is associated with Belvoir Castle.

5.39 The relevant map excerpts from the Character Areas Assessments are provided in the appendices.

APPENDIX 4: LANDSCAPE CHARACTER AREA MAP EXCERPTS.

5.40 LCA1 Vale of Belvoir is described as:

"An expansive gentle vale landscape with a strong pattern of medium scale rectangular shaped pastoral and arable fields with managed hedgerows and the Grantham canal, punctuated by nucleated villages with prominent church spires."

5.41 The distinctive characteristics are defined in the published assessment as:

- "Expansive vale.
- String of nucleated villages.
- Strong rectangular field pattern of mixed farming bounded by hedges.
- Local stone in houses and churches."

5.42 **LCA2 Bottesford** lies in close proximity to the site, to the north of the A52 and includes Muston, is described as:

"A nucleated townscape, prominent within the Vale, and nearby villages with surrounding pastures,

⁵³ ADAS, 2006. Melton Borough Landscape & Historic Urban Character Assessment Report

⁵⁴ ADAS, 2011. Melton Borough Landscape & Historic Urban Character Assessment Update 2011.

- streamsides and transport routes.”*
- 5.43 The distinctive characteristics are defined in the published assessment as:
- “Town prominent in the vale.
 - Dominated by church at centre.
 - Stream running through.
 - Closely associated pasture.”
- 5.44 **LCA9 Parkland** is described as
- “Historic parkland landscapes with historic houses/castles and a diverse mosaic of ancient, traditional & contemporary agricultural and parkland features and patterns.”*
- 5.45 The distinctive characteristics are defined in the published assessment as:
- “Historic buildings.
 - Parkland landscape or remnant parkland.
 - Plantation woodlands.
 - Ornamental tree groups & specimens.
 - Arable on former parkland”.
- 5.46 The Melton Borough Landscape & Historic Urban Character Assessment Report (2006) summarises the historical evolution of the landscape as follows:
- The area was largely forested and by the Iron Age period there was evidence of human activity along the River Trent.
 - The Romans established settlements and roads and cleared woodland, suggesting a settled farmed landscape which continued following Roman occupation.
 - The pattern of villages is likely to have been established by the 10th-century.
 - From the late 15th- century onwards the landscape became more enclosed with the planting of hedges and at an accelerated pace after 1750 with most land enclosed by 1800. The fields in and around the site were enclosed c.1772.
 - The Industrial Revolution saw collieries opening on the edge of the landscape character area and along the River Trent flood plain but the most notable impact in the vicinity of the site was construction of the Grantham Canal in 1797 to transport coal from Nottingham and the Great Northern Railway c.1850.
 - The 20th-century saw further changes to the landscape with large areas of the pasture turned over to arable crop production with many hedgerows removed and field sizes increased.
- 5.47 The 20th-century also witnessed the construction of the A52 Bottesford by-pass and the erection of electricity pylons across the landscape as part of the National Grid network.
- 5.48 The National Character Areas also describe the sense of place, inspiration, history, tranquillity and recreation. With regard to a sense of place / inspiration relevant extracts of

NCA **48** states the following:

- “Higher ground defines the edges of the NCA from where there are extensive views across the vales.
- Distinctive landmarks include Lincoln Cathedral, Belvoir Castle, Bottesford and Newark church spires and the power stations on the Trent.”
- Greater tree cover along with the more undulating landform gives this part of the NCA a more intimate character.”

5.49 With regard to a sense of history relevant extracts of **NCA 48** states the following:

- “The medieval settlement pattern of small compact villages and larger market towns remains broadly intact.
- Enclosure and reorganisation of the landscape in the 18th and 19th centuries is seen in the regular shaped fields bounded by hawthorn hedgerows and the red brick and pantile building style of farmsteads and villages.
- Lincoln Cathedral, Belvoir Castle, Bottesford and Newark church spires are prominent historic landmarks in the landscape.
- The marks of the Industrial Revolution are found in the main settlements, including terraces of brick and slate housing, Nottingham’s Lace Market factory buildings and the Grantham Canal.”

5.50 With regard to tranquillity relevant extracts of **NCA 48** states the following:

- “The landscape has a strong rural character, with wide areas retaining a sense of tranquillity and self-containment.
- Tranquillity is associated with the areas of farmland and winding lanes away from the major towns, the industrialised sections of the Trent corridor and the major roads.”

5.51 With regard to recreation relevant extracts of **NCA 48** states the following:

- “Recreation is provided by numerous small country lanes and public rights of way, especially along the Trent corridor, including the Trent Valley Way. It is also provided by country parks such as Cotgrave and Hartsholme. The disused Grantham Canal is a key green infrastructure link in the area.”

5.52 National Character Area 74 also provides descriptions of the same qualities. With regard to a sense of place / inspiration relevant extracts of **NCA 74** states the following:

“Sense of place/inspiration: A sense of inspiration and escape are provided by the undulating hills that afford far-reaching views from their summits and the prominent northern escarpment, as well as the areas of woodland and grassland found on the steeper scarp slopes and the sheltered valleys. The long views from Belvoir ridge provide a similar experience.”

5.53 With regard to a sense of history relevant extracts of **NCA 74** states the following:

Sense of history: Sense of history is likely to be associated with the distinct earthworks that

represent numerous deserted and shrunken settlements, as well as extensive areas of ridge and furrow. This is supported by the local vernacular of red brick and pantiles and ironstone/limestone churches, as well as the imposing Belvoir Castle in the north east (which is in the 19th century baronial style). The area also has a strong hunting tradition and many small copses, coverts and spinneys planted in the 19th century have survived.”

- 5.54 With regard to tranquillity relevant extracts of **NCA 74** states the following:

“A sense of tranquillity is associated with the open hills and undeveloped valleys and areas of woodland and pasture and the remoter ridge tops devoid of human-scale features. There is a sparse settlement pattern with small, isolated villages, providing one of the strongest senses of tranquillity in the eastern Midlands.”

- 5.55 With regard to recreation relevant extracts of **NCA 74** states the following:

“Recreation: The NCA has a relatively dispersed network of access opportunities. By far the largest recreational amenity in the area is Rutland Water...”

Belvoir Castle is open to the paying public and is becoming an increasingly important venue for country shows, concerts and special interest events.”

- 5.56 The archaeological baseline (see preceding paragraphs) demonstrates how the study area reflects the historic landscape as described by the Landscape Character Assessments, through the sites and monuments recorded on the Historic Environment Record (HER).

- 5.57 However, the HER, the Landscape Character Assessments, and the heritage assets themselves (see Section 6) demonstrate and recognise that **the landscape is not static**. The area has been forested; deforested; settled; abandoned (e.g., Torston Hill, the Moated Grange; duck decoy; Belvoir Priory); open field system; enclosed field systems; remodelled (e.g., repeated rebuilding of Belvoir Castle; deer park to parkland and gardens); and changes by industrial and infrastructure features (e.g., Grantham Canal; the Belvoir freight railway; Great Northern Railway; National Grid and the A52 by-pass).

6. Setting Assessment

- 6.1 The *Historic Environment Good Practice Advice in Planning Note 3* (Second Edition) by Historic England advocates a 5-step approach to assessing and monitoring the setting of Heritage Assets and the impact of development. Steps 1 to 3 are most relevant for this proposal.
- 6.2 Step 1 of the methodology recommended by the Historic England guidance GPA 3 (see Section 4 above) is to identify which heritage assets might be affected by a proposed development.
- 6.3 Development proposals may adversely impact heritage assets where they remove a feature that contributes to the significance of a heritage asset or where they interfere with an element of a heritage asset's setting that contributes to its significance, such as interrupting a key relationship or a designed view.
- 6.4 Consideration was made as to whether any of the heritage assets present within a 1 km study area include the site as part of their setting, and therefore may potentially be affected by the proposed development.
- 6.5 A professional judgement was also made whether any heritage assets beyond this study area also required assessment and where necessary were assessed.

Step 1

- 6.6 Assets identified for assessment have been identified from the following sources:
- Online map search for designated heritage assets maintained by Historic England;
 - The Leicestershire Historic Environment Record (HER) for information on the recorded heritage resource;
 - The Lincolnshire Historic Environment Record (HER) for information on the recorded heritage resource;
 - Site visit.
- 6.7 Assets in the vicinity identified **for further assessment** based on significance, proximity, inter-visibility (i.e., ability to see the site on views to or from the heritage asset) co-visibility (i.e., ability to see the site within a view of the heritage asset) and historical association comprise:
- Grade I Listed Building – Belvoir Castle;
 - Grade II* Registered Park and Garden at Belvoir Castle;
 - Belvoir Castle Conservation Area;
 - Grade II* Listed Building – Church of St John the Baptist at Muston;

- Grade I Listed Building – Church of St Mary at Bottesford.
- Grade II Listed Building – Peacock Farmhouse
- Scheduled Monument and Grade II* Listed Building – The Village Cross at Muston;
- Scheduled Monument - Earthwork Remains of the Moated Grange Site at Muston;
- Easthorpe Conservation Area.

6.8 Assets that are **not** considered to be within the setting of the site based on distance from the site and, or lack of inter-visibility, co-visibility or lack of historical association and **excluded** for further assessment at Step 2 comprise:

- Grade II* Church of St Peter at Redmile.
- Grade II Listed Building - Muston War Memorial;
- Grade II Listed Building - Manor Farmhouse and Easthorpe Manor;
- Grade II Listed Building Glebe House;
- Grade II Listed Building - 15 Castle View Road;
- Grade II Listed Building – Holly Cottage, Muston;
- Grade II Listed Building - Peacock Farmhouse, Muston;
- Grade II Listed Building - Hospital Farmhouse, Muston;

- Grade II Listed Building - The Muston Gap Public House;
- Scheduled Monument - Shifted Medieval Village Earthworks and Moat at Easthorpe (List Entry Number: 1009195).
- Grade I Listed Building – Harlaxton Manor and the Grade II* Registered Park and Garden at Harlaxton Manor (see appendices).

Step 2 and Step 3

6.9 Step 2 of the methodology requires an assessment of the degree to which the setting and views make a contribution to the significance of the heritage asset or allow it to be appreciated.

6.10 Step 3 requires an assessment of the effect of the proposed development on the significance or on the ability of appreciate it.

6.11 The significance and setting of each of the heritage assets identified in Step 1 above for further assessment are examined below.

Heritage Asset: Belvoir Castle

NHLE: 1360870

Distance from site: *c.2.3 km to the south of the site.*

Asset Type: Grade I Listed Building

Date Listed: 14th July 1953

Description

- 6.1 A copy of the List Description is provided in the appendices.

APPENDIX 5: BELVOIR CASTLE LIST DESCRIPTION



Plate 2: Location of the castle in relation to the site.

- 6.2 Belvoir Castle has Norman origins, with construction commencing in 1067 for Robert de Todei who was gifted the land by William the Conqueror. This first castle structure was built primarily for defensive purposes, and thus took advantage of the high defensive position that the outcrop of land provided.
- 6.3 By the mid-15th century, following the extensive War of the Roses, the Castle was in a poor state of repair and more or less in ruins; however, a large-scale building programme was undertaken in the early 16th century creating a more 'noble' structure with a central courtyard. Elements of this building are still present within the layout of the castle.
- 6.4 In 1649, the Castle was destroyed by Parliamentarians after Royalists seized control during the Civil War. Thus, a third incarnation of the Castle began in 1654 designed by John Webb with the focus being placed more upon creating a large palatial home without resemblance to a castle or a defensive military structure.
- 6.5 The Castle as extant today is primarily a product of the 19th century, having been largely rebuilt during 1801 and 1803

for the 5th Duke and Duchess of Rutland, by James Wyatt and Sir John Thoroton, although a fire in 1816 destroyed parts which had to be rebuilt.

- 6.6 The northern and southern aspect of the present castle are noticeably different. The north-east and north-west elevations were designed by Sir John Thoroton and the south-east and south-west were designed by James Wyatt, accounting for the variation. The southern elevation features an aesthetic influence, facing out onto designed gardens and the wider landscape parkland. The northern elements are to some degree more utilitarian, with the northerly aspects influenced by the earlier defensive nature of the site, with panoramic views of the Vale of Belvoir from parts of the Castle particularly from the roof and the terrace / esplanade.
- 6.7 The 19th-century rebuilding introduced elements of medieval revival castle architecture, especially with the towers and battlements to the roof. However, these are decorative design elements only as the roof was not designed for defensive purposes nor was it designed as a pleasure or promenade space.
- 6.8 Whilst this topographic context ensured the medieval fortification held a strategically defensible location overlooking a wide expanse of the surrounding countryside it also offered an ideal location for the subsequent aristocratic residence when its strategic location became of

less or little importance.

- 6.9 As a consequence of it being an aristocratic residence, landscaping around the castle was carried out. By 1730 the Spiral Walk had been laid out on the slopes of the castle adorned with figurative statues. Later, grand-scale alterations were carried out following the appointment of Lancelot 'Capability' Brown in 1780, although they were never fully completed.
- 6.10 Trees were used to great effect across the estate and acted as screening and perimeter belts. The description for the Registered Park and Garden states:
- "Tree planting started immediately after Brown's last visit to Belvoir in October 1782. Thomas Thoroton commented that the introduction of the oaks at the bottom of the north-east terrace above the retaining wall, opposite the stables, was 'exactly conformable to Mr Brown's Plan'."*
- 6.11 The north and north side of the castle slopes are still heavily treed today.
- 6.12 The castle is approached from several directions. The formal, historic approach is from the east, from Woolsthorpe village and over the serpentine lake and through the park and garden.
- 6.13 Arthur Young (1741-1820), agriculturist and travel writer wrote in 1771 of how he detoured from his route to observe

the castle, writing:

"My road not laying by Belvoir-castle, I went thither purposefully to view it. About three miles from Grantham, in the way the road rises up a small hill, at the summit of which suddenly appears an immense prospect over a prodigiously extensive vale, which those who delight in extent will be highly pleased with. It is not however equal to that from Belvoir-castle, which is seen almost in the clouds on the top of a vast hill, for many miles around. From the rooms may be seen Lincoln minster at 30 miles distance perfectly clear; Newark appears in the centre of the valley; and Nottingham is easily discerned."⁵⁵

- 6.14 This account was written when the John Webb castle was still standing, prior to the early 19th-century castle that stands today and whilst we do not precisely know which route he travelled, 3 miles from Grantham would allow for views from the higher grounds at Barrowby or Denton.
- 6.15 The castle has welcomed visitors since at least the mid-19th century. The railway enabled visitors to arrive by train to Bottesford station and then by carriage to the castle. W.F. Gibsons *Handbook to Belvoir Castle* written in 1857 describes the journey from Nottingham to the castle by train and describes the approach to the Castle from the railway station at Bottesford thus:

"Bottesford, as we pass through it, develops itself into a straggling but considerable village, with several good sized inns, and a cricket ground and club of great prowess. Suddenly the road turns right south as if to breast by a straight avenue, the Castle steep which rises majestically in the distance."⁵⁶

- 6.16 The Handbook then describes the final approach to the Castle as follows:

"The Castle grounds are entered by gate or lodge of humbler pretention, (but by far the best and most picturesque approach is from the south, the visitor passing on elevated ground along a noble avenue of beech tree, gaining his passage of glorious views of the Castle and the surrounding country; nearing the Castle a cedar avenue succeeds, and enormous clumps of rhododendrons line the way). Passing the gate, which by no means serves to (stop) the access, for this passage is at all times free as on the Queen's highway, the ridge of woods terminating in the Castle is not approached and at its base we enter in the over canopied foliage of the trees that climb its sides and (part) its summit – stretching away from the Castle for five miles together of wooded uplands beyond which are the (?) enchanting leafy dells and wilderness of the romantic demesne....but we must drive on to the Peacock Inn, situated as the immediate base of the Castle...In turning eastwards in our ascent towards the Castle we reach the inn at a point where the various roads and drives surrounding the Castle converge. It seems as if we had reached some Alpine region, and were placed upon a vantage ground high above the vast and

⁵⁵ Young, A. 1771. *A Six Months Tour Through the North of England*. Containing, an ., Volume 1. W. Strahan; W. Nicoll,, London. Pg 94

⁵⁶ Gibson, W.F. 1857. *Handbook to Belvoir Castle*. Simpkin, Marshall, and Co. Nottingham. Pg.10

*lovely vale over which Belvoir castle is the commanding object. Even from the immediate site of the "Peacock Inn" the eyes rove westwards to Nottingham and in an opposite direction, eastwards, the towers of Lincoln Cathedral are discernible. .In walking around the esplanade the bold prominence of the Castle site peculiarly strikes the beholder – commanding as it does a view of nearly thirty miles radius, and affording glimpses of nearly two hundred places that may be distinctly named situated in the counties of Leicester, Lincoln and Nottingham."*⁵⁷ (our emphasis)

- 6.17 The approach described from the station was evidently taken south along Belvoir Road from Bottesford over Toston Hill (the lack of reference to Easthorpe suggests that the approach was not along Castle View Road); then along Long Lane; Woolsthorpe Road; passing the Lodge on Woolsthorpe Road; and then turning eastwards at the junction at the Engine Yard to where the Castle estate entrance currently is.
- 6.18 Evidently in 1857 it was acknowledged in the writing that this was not the best approach to the Castle, but nonetheless it demonstrates the approach taken by tourists and is still an approach taken by tourist today.
- 6.19 The Handbook describes key vantage points from the castle grounds and of the castle, as considered in 1857, and are all from the south side.

57 Ibid. pg 10-12

58 The Duchess Garden

59 The Dukes Walk

"A charming garden the favourite retreat of the late Duchess⁵⁸ is situated in the walk⁵⁹ ...The view from this favoured spot is singularly fine: in the foreground a rich and rolling sea of wood...in the distant valley the River Devan may be seen, and a rich open hilly country beyond rises in successive swelling undulations, and gradually shuts out the distant prospect from the view."⁶⁰

- 6.20 Whilst areas to the south of the castle are described as follows:

"To realize the full beauty of Belvoir the visitor should study it from the hill to which we have just guided him, (Blackberry Hill) from the private carriage road behind the village of Woolsthorp and from the Waltham road and from Barkstone Wood."⁶¹

- 6.21 The Handbook describes in detail the interior of the castle and where appropriate views from the windows. Despite considering the Elizabethan Saloon (Elizabeth Salon) to be the *"most magnificent apartment in the Castle"* and positioned on the on the eastern side of the castle with its semi-circular shape and windows facing three directions, it is only its interior that was considered to be of interest. The only room worthy of the view from the windows to be described is that of the boudoir. The Handbook states:

"The Boudoir, which is associated with the name of the late attainable Duchess, and connected with her private apartment, is celebrated for the view of

60 Gibson, W.F. 1857. Handbook to Belvoir Castle. Simpkin, Marshall, and Co. Nottingham. pg.28

61 Gibson, W.F. 1857. Handbook to Belvoir Castle. Simpkin, Marshall, and Co. Nottingham. Pg.28.

*unparalleled beauty and extent commanded from its interior. The sight of two silver firs on the summit ground is said to have suggested the wish of the Duchess to repose in death beneath their shade, and thus originated the Mausoleum, now erected on the spot.*⁶²

- 6.22 In a history of Belvoir Castle published in 1841 the importance of this view from within the Castle alone was also recognised, stating:

"The oriel window commands a view of those splendid masses of foliage on Blackberry-hill, in the formation of which, her own creative taste was so eminently distinguished. And amidst this beautiful scene, which she loved so well in life, it was her anxious desire to rest in death. The two silver firs, whose tops may be distinguished above the surrounding foliage, mark the spot which she had chosen for her resting-place, and the site of the mausoleum where her remains are interred.

From the other window, the landscape, though greatly varied, is, if possible, still more beautiful. The eye, passing- over the foliage on the terraces immediately below the Castle, is refreshed by a beautiful expanse of water; immediately beyond which, is rising ground covered with plantations. The village of Woolsthorp, in the valley, a little to the left, with the spire of its simple church, is sufficiently distant to form a sweet feature in this scene of rural repose. At a more remote distance, the magnificent mansion of Mr. Gregory forms a terminal point for the eye to rest upon, near the horizon of the

*landscape.*⁶³

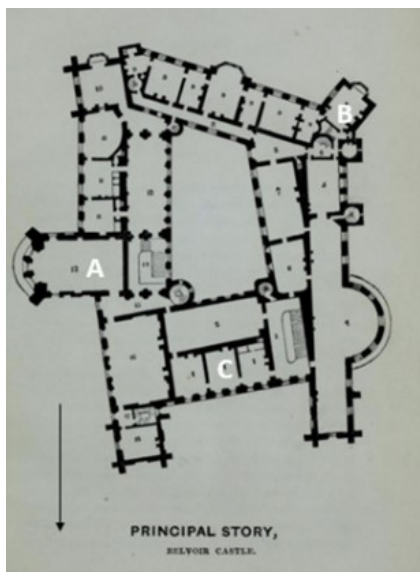
- 6.23 With the exception of the Boudoir, it is the grandiose interiors that are the focus once inside the castle and not the view out, and especially not the view to the north as is further confirmed by the history published in 1841 describing the "dreary" view from the King's apartments when the Prince Regent (King George IV) visited in 1813, which reads as follows:

*"The view is limited by the north-east and north-west towers on each side; and nothing of the landscape can be observed, except in a straight- forward direction over the Vale of Belvoir; which, from its flatness, and the absence of wood and water, is but a dreary prospect."*⁶⁴

62 Gibson, W.F. 1857. Handbook to Belvoir Castle. Simpkin, Marshall, and Co. Nottingham. pg.19

63 Rev. Miller, I. 1841. The History of Belvoir Castle, from the Normal Conquest to the Nineteenth Century. R Tyas. London. Pg 283.

64 Ibid, pg. 318.



PRINCIPAL STORY.

no.	
1.	Royal Apartments.
2.	Picture Gallery.
3.	Grand Staircase.
4.	Regent's Gallery.
5.	Chapel.
6.	Awaiting Room.
7.	Library.
8.	Ante Room and Passage.
9.	The late Duchess' Boudoir and Private Family Rooms.
10.	Green or Assembling Room.
11.	Chinese Rooms.
12.	Elizabeth Saloon.
13, 15.	Grand Corridor.
14.	Staircase to Ditto.
16.	Grand Dining Room.
17.	Ante Room and Staircase.
18.	Fox hunters' Dining Room.

Plate 3: Plan of Principal Floor of Belvoir Castle. **A**= Elizabeth Salon; **B**=Duchess' Boudoir; **C**=Kings Apartments. ⁶⁵

Summary of Significance of Grade I Listed Building - Belvoir Castle

6.24 The Grade I Listing of the building highlights that it is a heritage asset of the highest significance as defined by the NPPF. The heritage significance of this Listed Building is principally embodied in its **architectural and artistic interest** through its architectural styles, materials and interiors and **historic interest** as a seat of aristocratic power since the Norman period. It is a physical record of the nation's history and part of the local identity. The castle also has **archaeological interest** in its ability to potentially reveal further evidence about past human activity.

6.25 The setting of the castle also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the castle (its 'setting') which are considered to contribute to its heritage significance comprise:

- The relationship between the individual heritage assets which as a group that form the complex of designated heritage assets at Belvoir;
- The prominent position on an area of high ground overlooking the Vale of Belvoir;
- Views towards the Castle which allow for an

65 Rev. Miller, I. 1841. The History of Belvoir Castle, from the Norman Conquest to the Nineteenth Century. R Tyas. London.

appreciation of its role as a strategically placed defensive stronghold, and later as a demonstration of wealth;

- Views north-eastwards from the Castle over its park and estate land over the Vale of Belvoir;
- Associative and functional relationships with some elements of the wider Belvoir Estate.

Contribution of the site to the heritage significance of Belvoir Castle.

6.26 The site forms part of the Belvoir estate and thereby has an economic, social, and historic connection with castle. The site also allows for the Castle to be viewed from it, but the site is not discernible in views from the castle, other than from its roof. The site might thereby be considered to offer some contribution of the significance of the castle, but the site does not provide the only vantage point to experience or view of the castle and as such the contribution the site makes to its significance is low.

Impact of the proposals on the Grade I Listed Belvoir Castle

Views from the Castle

- 6.27 The proposals will not impact on the Listed Building directly, any impact will be via a change to those elements of its setting that contribute to its significance.
- 6.28 The site is c.2.3 km to the north of the Castle and is screened by trees in views from rooms within the Castle, from the Castle esplanade / terrace and the Spiral Walk. Views from the esplanade / terrace has been assessed in both the winter and summer months and any view of the site is only a glimpsed and heavily filtered view through the tree canopy, and from a single static point only (**see Heritage Photomontage No.9**).
- 6.29 The tree screening is an historic element of the setting of the castle and can be seen in engravings made of the castle in the 18th-century (Plate 4)⁶⁶, and used and possibly added to by Capability Brown in his designs.

⁶⁶ From Thomas Badeslade and John Rocque, Vitruvius Britannicus, volume the fourth, London 1739, pl.[47/48]
<https://www.royalacademy.org.uk/art-artists/work-of-art/belvoir-castle-leicestershire-birds-eye-view>. Accessed 04/11/2020



Plate 4: Belvoir Castle, [Leicestershire]: bird's-eye view from the south by Thomas Badeslade (ca. 1715 – 1750)



Plate 5: Aerial image of Belvoir Castle showing extensive tree screening to the north of the castle, arrow denotes direction of view of towards the site.

- 6.30 The extensive tree screening around the castle especially to the north, and in the direction of the site (Plate 5, Plate 6, Plate 7) demonstrate the long established residential function of the castle rather than that of a defensive structure, where wide ranging panoramic views across the landscape would have been maintained. The trees thereby are a significant but established change to the setting of the castle that has created a more intimate and enclosed setting. Both the 18th-century engraving, and modern aerial photographs of the castle demonstrate that any open views across the vale are directed towards the northeast, and not towards the site, where views are now screened by trees. This is further confirmed by site visits (Plate 6, Plate 7, Plate 8).
- 6.31 The proposed development will be visible from the roof top at Belvoir Castle due to its elevated height above the tree canopy. The roof comprises a series of slate and lead roofs with numerous chimney stacks set behind battlements / crenelated parapets.
- 6.32 Views from the roof are extensive across the vale and include views of the Park and Garden: agricultural fields; surrounding villages; church spires, especially that of St Mary's at Bottesford (although there are some limited glimpsed views of the spire from lower levels too), and infrastructure, including the Grantham Canal; A52 trunk road; electricity pylons; railways lines; and wind turbines.

The appearance of the site in views from the roof will thereby be seen within the context of an evolving landscape and in the far distance.

- 6.33 There is no evidence that the roof was designed to act as a vantage point. The roof is not readily accessible and access to it allows for maintenance but not for pleasure. Views from the roof are thereby incidental and their contribution to the significance of the castle is significantly less than views from the esplanade / terrace.
- 6.34 Thereby, when considering both the distance of the asset from the site; the general lack of visibility of the site from the Castle; and the lack of significance placed historically on views towards the north from the castle, other than to note the extensive views towards settlements, it is considered that the proposals will **have no impact on the significance of castle in any view from it.**



Plate 6: View, northwards, towards site from Castle terrace – in winter. Church at Bottesford highlighted as a reference point.



Plate 7: View, northwards, towards site from Castle terrace – in summer. Church at Bottesford highlighted as a reference point.



Plate 8: View, northwards, towards site from Castle terrace – in winter



Plate 9: View North-eastwards from Castle terrace in winter – site not visible



Plate 10:View Northwards towards the Site from the castle roof. Churches and A52 highlighted as reference points in the landscape.

Views towards the Castle

- 6.35 Opportunities to see both Belvoir Castle and the site together in the same view are very limited due to there being very few vantage points which are contained to views southwards from the north of the site boundary and from within the site itself.

From the A52

- 6.36 To the north of the site is the main A52 road which is a national speed limit trunk road without footpaths. This acts as a significant visual barrier to any longer views from north of the site from Easthorpe and to travellers on this route. Views from the A52 by vehicular traffic cannot therefore be appreciated due to the speed of travel. Any views of the solar development within the view of the castle would therefore be a fleeting view within the greater landscape.
- 6.37 The track (no through route of Easthorpe Lane) that runs between the A52 and the site boundary is not a public right of way but is publicly accessible and connects Easthorpe Lane with Castle View Road. The track is not an historic route and is likely to date from when the A52 Bottesford by-pass was constructed in 1989. From here the solar panels and perimeter fence would be visible in views with the castle (without any screening), which is in the far distance, but views of the castle will not be totally lost due to the low

height of solar development; the elevated position of the castle, which ensures its prominence in the landscape; and the distance of the site from the castle. This is evident when the height of existing hedgerows and trees in the view are considered, and the castle still remains a prominent feature in the landscape.

- 6.38 However, the landscaping strategy includes for enhanced hedge planting along the site boundary to reflect the existing established field boundaries in the area. This will result in both the development being screened and views of the castle **(see Heritage Photomontage 10)**
- 6.39 The proposals will change the character of the land from a long-established agricultural landscape though the introduction of the panels and infrastructure. This change thereby might be considered to be harmful to the significance of the castle, but when taking into account that this vantage point is not historic; it is only one vantage point in a much larger landscape that allows for numerous views of the castle; and views from the north have historically not been considered to be significant, **then this harm might only be considered to be less than substantial at the lowermost end of the scale. The proposed landscaping and new hedgerows will however mitigate the impact.**



Plate 11: View southwards towards castle from the no through route north of the site and south of the A52 – panels would be behind the yellow line – indicative only.

Views from Castle View Road

- 6.40 As the name suggests the castle is visible from Castle View Road and appears to be an historic approach to the castle from Bottesford, Easthorpe and the north. However, the construction of the A52 has already severed the road and views of the castle from north of the site and from Easthorpe.
- 6.41 The site will be visible in views with the castle but only from a short area at the north end of the road, close to the junction with the A52. This view however is partially screened by vegetation with better views of the castle becoming more prominent as one travels southwards along the road as it straightens.
- 6.42 From vantage points further south along the road the solar development is separated from the road by intervening fields and thereby will not encroach on any view of the Castle.
- 6.43 This opportunity to see the site with the castle for a short stretch from Castle View Road and from an area that is close to the infrastructure and noise of the A52 is considered **to not be harmful to the significance of the castle.**

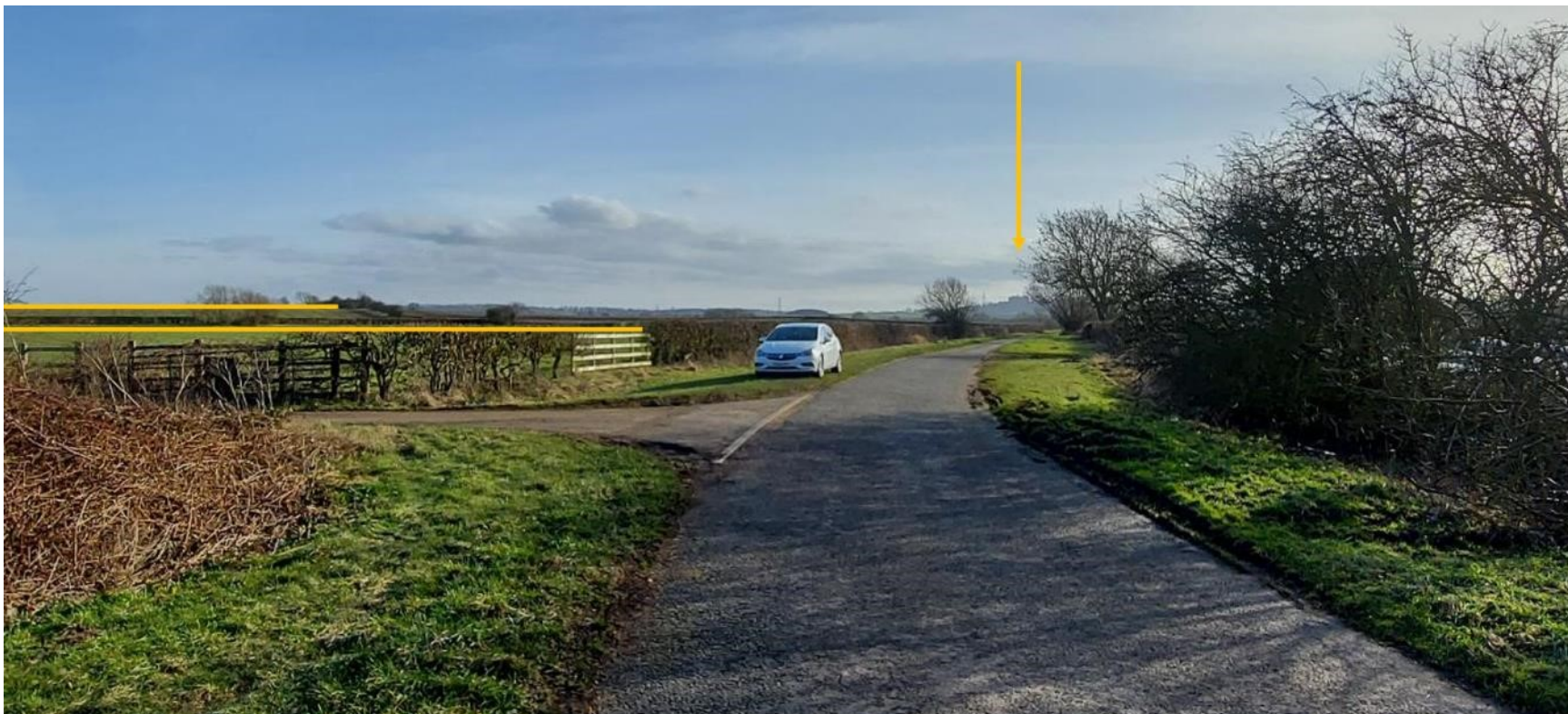


Plate 12: View from Castle View Road towards the Castle - panels would be behind the yellow line - indicative only.

View from Footpath F82 From Easthorpe Lane Road, Muston to Castle View Road.

- 6.44 Views from within the site southwards towards the castle are largely obtained from within the fields and thereby not generally accessible vantage points, although footpath F82 is a public footpath that traverses the site. The footpath appears to date from the mid-late 19th century, it is not shown on maps prior to this. However, there is no evidence that this footpath was purposefully located to take advantage of any views and thereby views from its are incidental in the wider landscape.
- 6.45 There are clear views of the castle from along the footpath, closer to Muston. However, due to the topography of the land and the height of the field hedges along the path, the proposed development is either not visible or screened in views from the eastern end to middle of the footpath (**see Heritage Photomontage 6A**).
- 6.46 The proposed layout and site boundary of the of development has considered the views and vantage points of the castle and by ensuring that panels are omitted from the fields at the eastern end and immediately to the south of the footpath ensures that views of the castle are either unobstructed or the encroachment of the panels in views are significantly reduced.

- 6.47 Where the panels will be visible in views with the castle they will only be seen at distance from the footpath and their scale and appearance in contrast with the castle will be minimal. The proposed landscaping strategy will enhance field boundaries thus mitigating much of their visual impact. The castle will remain a prominent feature in the landscape and any view of it will not be obscured. The proposed Landscape Strategy also includes opportunity for interpretation boards that will form a heritage trail where the significance of the Castle can be told to users of the footpath (**see Heritage Photomontage 7C**).
- 6.48 The proposals will change the character of the land from a long-established agricultural landscape though the introduction of the panels and infrastructure. This change thereby might be considered to be harmful to the significance of the castle but when taking into account that the panels will only be seen at a distance from the footpath; they will not prevent views of the castle; the views changes as one travels along the path; this footpath is just one area to view the castle in a much larger landscape that allows for numerous views of the castle; and views from the north have not historically been considered significant, then **this harm might only be considered to be less than substantial. and at the lowermost end of that spectrum.**

Summary of impact on views towards the castle.

- 6.49 Views towards the castle will only be impacted from a very limited number of vantage points, namely to the north of the site from the track alongside the A52 and from parts of the public footpath F82. However, these are not the only vantage points of the castle, and they are incidental, fortuitous views and thereby are not of high significance to the special interest of the castle or its setting.
- 6.50 Further, due to the topography of the landscape and the castle's prominent position any view will not be lost, the development will result in a change in the view but will not result in total loss of visibility from along these vantage point and as such **any harm might only be considered to be less than substantial and at the lowermost end of that spectrum.**

Summary of other impacts on the castle.

- 6.51 The proposed development will change the appearance of the site, but the economic, social and historic connection with the estate will still be retained. The proposed Landscape Strategy includes opportunity for interpretation panels where these connections can be better told and thereby the historic and extant relationship between the site and the castle will be better known publicly.

Heritage Asset: Registered Park and Garden at Belvoir Castle

NHLE: 1000957

Distance from site: c.2.3 km to the south of the site.

Asset Type: Grade II* Registered Park and Garden.

Date Designated: .5th March 1986 at Grade II and upgraded 31st January 2020 to Grade II*

Description

- 6.52 A copy of the Description for the Registered Park and Garden is provided in the appendices.

APPENDIX 6: BELVOIR CASTLE REGISTERED PARK AND GARDEN DESCRIPTION



Plate 13: The Registered Park and Garden (green) in relation to the site.

- 6.53 The Registered Park and Garden within which the Castle is

situated includes various garden areas, mostly early 19th-century in date, as well as incorporating 17th-century elements, set within an extensive landscaped park.

- 6.54 The land surrounding the castle was a licenced park from 1340-1460 and is shown as the 'Old Park' on enclosure plans, and whilst Belvoir had a free warren (land granted by the Crown to hunt hare, rabbit, pheasant and partridge with a hawk) it never acquired a chase in the Middle Ages (open land of great distinction for hunting fallow and roe deer, foxes and pine martin with dogs).⁶⁷

- 6.55 Although not a licenced medieval chase William Pitt writing in 1809 described the later park that was probably created during the post-Civil War reconstruction and before enclosure as;

*"an open chase, or forest stocked with deer; the remainder open field in the three shift system, of fallow, wheat, beans"*⁶⁸

- 6.56 He also referenced the recent improvements made of the

⁶⁷ Duchess of Rutland & Pruden, J. 2015. Capability Brown & Belvoir discovering a lost landscape. Nick McCann Associates. P.50-51.

⁶⁸ Pitt, W. 1809. A general view of the agriculture of the county of Leicester, with observations on the means of its improvement, published by order of The Board of

Estate by the Duke:

"The recent improvements made on the Belvoir estate the property of is grace the Duke of Rutland, as related to be by Mr. King, the present agent, have been very great; they have been effected principally 1, by enclosure, and a consequent change in agriculture; 2, by improved roads and the Grantham canal; 3, by planting and building improvements".⁶⁹

- 6.57 The reference to planting and building improvements is likely reference to the works following the appointment of Lancelot 'Capability' Brown c.1779. Following a survey by Brown's surveyor, Jonathan Spyer in 1779, Brown prepared his plans for the garden and parkland in 1780, although his plans were never completed due to his death three years later.
- 6.58 Brown showed great interest in the medieval history and landscape at Belvoir and had ideas to reinstate a medieval chase although Belvoir did not have one. This misbelief in a chase might have originated from an awareness of the chase at Knipton (south of Belvoir) and in a different manor.⁷⁰
- 6.59 Brown was clear that the area mapped by Spyer from Saltbecks, and the Engine Yard to Church Thorns as Old Park was not to be a deer park but mowing lawns surrounded by a belted ride. These meadows would be mown on alternate

years and grazed by horses or deer in between times.⁷¹ The treed perimeter and ride are clearly denoted on his plan and whilst he appears to go beyond the surveyed area and extend the ride to Stathern Point to the west there is no evidence on the plan that there was any intention to bring land that forms the application site to the north into the planned design or take advantage of any view of it.

- 6.60 Here the land is shown as enclosed fields with the 'Brick Kilns' and 'Muston Gorse' occupying the land between the parkland and the application site. The trees perimeter belt shows a clear distinctions and screening between the landscape with no evidence of any intended view or experience between them.

Agriculture and Internal Improvement by William Pitt of Wolverhampton to which is annexed A survey of the county of Rutland by Richard Parkinson. P.15.

⁶⁹ Ibid, P.13

⁷⁰ Duchess of Rutland & Pruden, J. 2015. Capability Brown & Belvoir discovering a lost landscape. Nick McCann Associates. P.147.

⁷¹ Duchess of Rutland & Pruden, J. 2015. Capability Brown & Belvoir discovering a lost landscape. Nick McCann Associates. P.196.



Plate 16: Browns intended plan in relation to the Registered Park and Garden boundary and the application site.

- 6.62 Brown's plans were continued with after his death but were never completed and the plan itself was thought to be lost following a fire at the castle. However, Brown's plans were rediscovered in 2014 and parts are still being implemented in parts today.
- 6.63 The Park and Garden is mostly centred on the castle hill, the castle, its associated buildings, including the Engine Yard, and the formal designed gardens to the west and south of the castle (i.e., away from the site). The wider parkland is largely pastureland extending beyond the boundaries of the formal gardens.
- 6.64 Much of the information, significance and viewpoints relating to the castle (see above) relates also to the Park and Garden. Much of the Park and Garden is screened by dense tree cover although the agricultural and pastureland along Jubilee Drive and Woolsthorpe Road allow for both views out from the Park and Garden towards the site and towards the castle itself.

Summary of Significance of Grade II* - Belvoir Castle Registered Park and Garden

- 6.65 The Grade II* Listing of the Park and Garden highlights that it is a heritage asset of the highest significance as defined by the NPPF. The heritage significance of this Park and Garden is principally embodied in its **historic interest** as a multi-layered designed landscape of great time-depth, having

evolved over almost a thousand years. It is one of the latest designs by Lancelot 'Capability' Brown and following his death his plans and folio album continued to be used when alterations and improvements were initiated at the Castle and on the estate, altogether shaping the land and views in accordance with the ideals of the landscape park. It is associated with some of the most accomplished landscape and garden designers, architects and engineers from the 18th to the 20th century.

- 6.66 The setting of the Park and Garden also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the Park and Garden (its 'setting') which are considered to contribute to its heritage significance comprise:

- The relationship between the individual heritage assets which as a group form the complex of designated heritage assets at Belvoir;
- Some elements of the surrounding countryside such as where it provides any designed extension to any view from within the Park and Garden.

Contribution of the site to the heritage significance of Belvoir Castle Registered Park and Garden.

- 6.67 The castle and its park and garden are at the centre of a large estate and are associated with the site in economic, social and historic connection terms.

- 6.68 In visual terms the site affords views of some elements of the Park and Garden, mainly the higher points i.e. the castle. In views from the Park and Garden the site is largely screened by trees, or is at too great a distance from it to be discernible, other than from the roof of the castle.
- 6.69 Overall, the contribution the site makes to the heritage significance of the Registered Park and Garden is low.

Impact of the proposals on the Grade II* Belvoir Castle Registered Park and Garden

- 6.70 The proposals will not impact on the Registered Park and Garden directly, any impact will be via a change to those elements of its setting that contribute to its significance.
- 6.71 The Park and Garden is a designed landscape and thereby the boundaries of the Park and Garden identify the extent of area that is considered to be significant in landscaping terms unless external elements were considered as part of the landscape design. Whilst the Park and Garden included the Grade I listed castle, only a small percentage of the Park and Garden is located to the north of the castle.

Views towards the Park and Garden

- 6.72 The formal, historic approach and those used by tourists to the castle have been examined in detail, together with the impact of the proposed development on views of the castle

and thereby an element of the Registered Park and Garden, in the preceding section (see Belvoir Castle).

- 6.73 The formal, historic approach to the castle is from the east, from Woolsthorpe village and over the serpentine lake and through the Park and Garden. The proposals will not be visible from the formal approach or from most areas within the Park and Garden.
- 6.74 On routes from the north the proposed development is seen on approach from along Castle View Road, Woolsthorpe Lane, Belvoir Road and Long Lane. Vantage points from Castle View Road and the footpath are discussed above (see preceding section – Belvoir Castle
- 6.75 In views from Belvoir Road, Woolsthorpe Road and Long Lane, the proposals will have no impact on the Park and Garden as the site will not be visible in any view due to its more northerly location (**see Heritage Photomontage 1**).
- 6.76 There will be some harmful impact on the significance of Belvoir Castle with regard to views towards it from and across the application site (see the preceding section, Belvoir Castle) and thereby on **one element only** of the Registered Park and Garden. But due to the topography of the landscape and the castle’s prominent position within the Park and Garden any view will not be totally lost and as such any harm might only be considered to be **less than substantial**

harm and at the lowermost end of that spectrum.

Views from the Park and Garden

- 6.77 View from the Park and Garden towards the site change as one travels through it. The extensive and dense tree cover and vegetation around the castle and on its slopes screen the site from the castle (except from the roof), its esplanade and terracing (see preceding section – Belvoir Castle).
- 6.78 Therefore, any opportunity to see the site from within the Park and Garden is very limited. The first opportunity being from Woolsthorpe Avenue (Jubilee Way).

View from Woolsthorpe Avenue (Jubilee Way)

- 6.79 While today the road provides for panoramic long-distance views northwards, the original intention as drawn by Capability Brown in 1780 shows the road as part of a long avenue approach that extended northwards to form a perimeter drive. The park and drive were also designed to be fully enclosed by a perimeter belt of trees.
- 6.80 Whilst the tree belt is still extant to the south of the castle, the avenue and planting was not completed on the northern side and Woolsthorpe Avenue was not first planted until 1977 and completed in 2012.

6.81 The plans of Capability Brown thereby demonstrate that, from pedestrian and probably horseback level, the parkland was not designed to be experienced from beyond its boundaries or to take advantage of any views beyond its boundary (also see preceding section – description). There is no evidence of any planned, designed views beyond the park boundary to the north.

6.82 Nonetheless there will be opportunity to see the site in views from this vantage point along Woolsthorpe Avenue (Jubilee Way). Views from here are far reaching taking in Bottesford Church and Muston Church and development and settlements beyond. The A52 and electricity pylons are also discernible in the landscape.

6.83 However, the southern boundary of the site is c.2km away and due to the distance from this vantage point the proposals will not be highly visible or intrusive in views (**see LVIA Viewpoint Photomontage 9**).

6.84 From the north-eastern boundary of the Park and Garden, from Woolsthorpe Avenue (Jubilee Way) there is no view of the site due to the undulating topography and screening afforded by plantations.



Plate 17: The view northwards toward side from Jubilee Way.



Plate 18: The view north eastwards towards site from astern end of Jubilee Way - with no view of site.

Views from the Engine Yard.

- 6.85 The second vantage point from within the Park and Garden is from the fields immediately to the north of the Engine Yard. Views northwards towards the site comprise fields and *Saltbeck plantation* which is depicted on Brown's plan. The plantation forms a sizeable screen between the Park and Garden and the site in any view from this vantage point, while the Bushes plantation further narrows the view to allow only glimpses of parts of the development (**see Heritage Photomontage 8**).
- 6.86 However, the southern boundary of the site is c.2km and due to the distance from this vantage point the proposals will not be highly visible or intrusive in views.
- 6.87 View towards the site from the higher ground near the visitor car park for Belvoir Castle are screened by the buildings at the Engine Yard and such the proposals will not be visible from this vantage point in the Park and Garden.



Plate 19: The site in relation to the Park and Garden at the Engine Yard and Saltbeck Plantation, where existing plantations limit views



Plate 20: The view northwards towards the site from park and garden (Engine Yard)



Plate 21: The view of the castle from the Engine Yard - the castle within the park and garden is screened by dense tree coverage between the site.



Plate 22: The view from public car park to castle looking northwards towards the site – site is screened by the engine yard complex.

From Belvoir Road / Woolsthorpe Road

6.88 The view from Belvoir Road / Woolsthorpe Road is focused on the castle and views to the northeast or southwest are limited by the hedgerows and the Bushes Plantation alongside the road. These roads are an historic route to the castle and the estate lodge was located in the Bushes (see preceding section – Belvoir Castle) but located outside of the current Park and Garden boundary. The opportunity to see

the site is very limited due to the screening alongside the roads and is only obtained from the adjacent fields themselves or from breaks in the hedgerow.

6.89 The southern boundary of the site is c.2km from the road and the ability to see it is very limited due to the intervening distance and the screening afforded by the plantations. The proposals will not be highly visible or intrusive in any view from the Park and Garden in this part.



Plate 23: The view from gap in hedgerow along Belvoir Road northwards towards site.

Summary of impact on the Belvoir Castle Registered Park and Garden

- 6.90 There is no evidence that the views from within the Park and Garden towards the site were considered to be significant as part of historical landscaping schemes. It appears that a sense of enclosure through the use of plantations and shelter belts was originally intended by Capability Brown whilst the fields surrounding the castle and park had already been enclosed preceding his involvement. Nonetheless, land beyond the boundary of the park including the site provide for a wide panoramic setting of the Park and Garden and provide the context of the castle within its wider managed and farmed estate.
- 6.91 However, in views from the Park and Garden the site will not be highly prominent due to the distance and intervening plantations and tree screening, and as such the proposals will not detrimentally impact on the significance of the Park and Garden.
- 6.92 The opportunities to see both the Park and Garden and the site together in the same view are very limited and contained to views southwards, from the north of the site and the public footpath through the site. Here the main A52 road, a national speed limit trunk road provides a significant visual barrier to any longer views.

- 6.93 There will be some harmful impact on the significance of Belvoir Castle with regard to views towards it from and across the application site (see the preceding section see Belvoir Castle) and thereby on one element only of the Registered Park and Garden. But due to the low height of solar development; the recessive colour of solar panels and the elevated position of the majority of Park and Garden and the castle within it any view will not be totally lost and as such any harm might only be considered to be less than substantial and at the lowermost end of that spectrum.
- 6.94 The site is in common ownership, being a long-established part the Belvoir estate. The estate, and thus the setting of the park and Garden has witnessed continual change especially since the 18th century (as commented on by William Pitt in 1809). The Grantham Canal was built across the estate between 1793 and 1799 (and included the Knipton Reservoir); the surrounding villages have continued to expand; and the A52 has become a more prominent landscape feature during the 20th century together with electricity pylons. The setting of the Park and Garden thereby is not static but an evolving landscape with each generation with the economic, social and historic connection still maintained.

6.95 In summary, there shall be only **less than substantial harm and at the lowermost end of that spectrum** to the significance of the Park and Garden via the change to views of the Castle within it.

Heritage Asset: Belvoir Castle Conservation Area

NHLE: n/a

Distance from site: *c.2 km to the south of the site.*

Asset Type: Conservation Area

Date Designated: October 1994

Description.



Plate 24: Belvoir Conservation Area (blue) in relation to the site.

6.96 The Conservation Area is predominantly rural in nature and its contributory elements comprise nine sub areas⁷⁴, these include:

- The castle;
- The stable blocks and associated housing;
- Belvoir Hunt Kennels;
- Garden house and walled gardens;
- The Engine Yard;
- Power House cottages;
- Belvoir Lodge and Old Courthouse;
- The Dairy House;
- Icehouse and Mausoleum.

⁷⁴ Melton Borough Council – Belvoir Castle Conservation Area Appraisal. <https://www.melton.gov.uk/media/azgi5rou/belvoir-castle-conservation-appraisal.pdf>

6.97 The Area includes several designated heritage assets as follows:

- Grade I Listed Belvoir Castle (NHLE: 1360870).
- Grade II* Listed Exercise Ring Within Belvoir Castle Stable Yard (NHLE:1075119).
- Grade II* Listed Main Stables 200 Metres North East of Belvoir Castle (NHLE: 1360872).
- Grade II* Listed Seven Statues in Belvoir Castle Sculpture Garden (NHLE: 1295063; NHLE: 1360871; NHLE 1180145; NHLE 1075117; NHLE 1180136; NHLE 1075116; NHLE 1295053)
- Grade II Listed the Court House (NHLE: 1075093).
- Grade II Listed Secondary Stables at Belvoir Castle, 20 Metres North East Of Main Stables (NHLE: 1180180).
- Grade II Listed Brewery Row, 25 Metres South East of Main Stables To Belvoir Castle (Nhle:1180198) Brewery Row, 25 Metres South East Of Main Stables To Belvoir Castle.
- Grade II Listed House 15 Metres South Of Main Stables To Belvoir Castle (NHLE: 1075120).
- Grade II Listed Ice House 50 Metres North Of Belvoir Castle (NHLE:1075121).
- Grade II Listed Dairy Cottage 250 Metres South of Belvoir Castle (NHLE:1295010).
- Grade II Listed Mausoleum (NHLE:1180166).
- Grade II Listed Summerhouse in Spring Gardens at

Belvoir Castle (NHLE:1075118).

- Grade II Listed Hunt Kennels 1200 Metres South East Of Belvoir Castle (NHLE:1075123).
- Grade II Listed Bridge Between Upper and Lower Lakes 1350 Metres South East Of Belvoir Castle (NHLE: 1295015).
- Grade II*Belvoir Castle Registered Park and Garden (NHLE: 1000957).

Summary of Significance of Belvoir Castle Conservation Area

6.98 The heritage significance of the Conservation Area is principally embodied in its **architectural interest** as a complex of historic buildings, several being Listed, and its **historic interest** through its association with the Belvoir Estate

6.99 The setting of the Conservation Area also contributes to its significance, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the Conservation Area (its 'setting') which are considered to contribute to its heritage significance comprise:

- The relationship between the individual heritage assets which as a group form the complex of designated heritage assets at Belvoir;
- Some elements of the surrounding countryside such

as where it provides a clearly-visible extension to some views from within the Conservation Area.

Contribution of the site to the heritage significance of Belvoir Castle Conservation Area.

- 6.100 The Conservation Area comprises the Grade I Listed castle, part of its Registered Park and Garden, and several associated Listed Buildings and is at the centre of a large estate. Whilst the site is not in close proximity to the Conservation Area it is associated with it in terms of its economic, social and historic connections.
- 6.101 In visual terms the Application Site allows for views of Conservation Area, focussing primarily on the higher elements of the castle with in. Views from the Conservation Area of the site are limited by the tree screening and are generally only obtainable from Jubilee Way, from north of the Engine Yard, or from the castle roof.
- 6.102 Overall, the contribution the site makes to the heritage significance of the Conservation Area is low

Impact of the proposals on Belvoir Castle Conservation Area

- 6.103 The proposals will not impact on the Conservation Area directly, or the Listed Buildings within it, any impact will be via a change to those elements of its setting that that contribute to its significance.

- 6.104 The Conservation Area boundary includes the Grade I Listed Belvoir Castle and is within the Grade II* Registered Park and Garden. Thereby the assessment of the impact of the proposals on both the castle and the Park and Garden in the paragraphs above also applies to the Conservation Area (see preceding paragraphs).
- 6.105 Other Heritage Assets, within the Conservation Area will be screened by existing buildings and trees or be at too great a distance to be affected by the proposals at the site.
- 6.106 In summary, the proposed development will change the appearance of the site, but the economic, social and historic connection with the estate will still be retained. The proposed Landscape Strategy includes opportunity for interpretation panels where these connections can be better told and thereby the historic and extant relationship between the site and the castle will be better known publicly.
- 6.107 Any harm will only arise from the impact on views towards the Conservation Area, especially the higher elements including the castle, but due to the topography of the landscape and the Conservation Area's prominent position any view will not be totally lost.
- 6.108 The development will result in a change in the view primarily of the castle but will not result in total loss of visibility from vantage points at the site. The impact of the change in views

of the castle and on the significance of the castle is discussed above in the preceding sections. Whilst the castle is a significant part of the Conservation Area the Conservation Area is also made up of several elements and other heritage assets, including the Registered Park and Garden. In summary there will be no harm to the significance of the Conservation Area over and above any harm that might only be considered to be **less than substantial and at the lowermost end** of the spectrum as identified with regard to impact on views towards the castle.

Heritage Asset: Church of St Mary at Bottesford.

Asset Type: Grade I Listed Building.

NHLE: 1075095

Date Designated: 1st January 1968

Distance from site: c.1.5km to the northwest of the of the site boundary.

Description



Plate 25: The Church in relation to the site.

6.110 The Church dates from the 13th century with later 14th-, 15th- and 19th-century alterations. The west tower and spire were rebuilt completely in 1876. It is built from ironstone and limestone. The total height of the spire is 212ft and is crocketed and is understood to be the tallest in Leicestershire.

6.111 The church was the parish church for Belvoir Castle which becomes evident internally where monuments of the Earls and Dukes of Rutland fill the chancel with some having been moved from Croxton Abbey and Belvoir Priory at the time of the Dissolution.

6.112 The immediate setting of the church is the churchyard with burials and headstones. Beyond the churchyard is the village of Bottesford and the wider rural landscape.

6.113 Due to the height of the church spire the setting of the church extends far over the landscape.

6.114 A copy of the List Description is provided in the appendices.

APPENDIX 7: CHURCH OF ST MARY AT BOTTESFORD LIST DESCRIPTION

Summary of Significance of Grade I - Church of St Mary at Bottesford

6.115 The Grade I Listing of the church highlights that it is a heritage asset of the highest significance as defined by the NPPF. The heritage significance of this Listed Building is

principally embodied in its **architectural interest** as a medieval church with later additions, alterations and restorations and **artistic interest** through the extensive monuments, memorials and artwork internally.

6.116 The building also has **historic interest** and has been a spiritual and communal centre for the community since the 13th century and through its association with the Earls and Dukes of Rutland.

6.117 The church is very much associated with the both the settlement of Bottesford and Belvoir Castle, but it is at proximity and internally that it is best appreciated and experienced, although its spire is visible from greater distances, including the site and from Belvoir Castle.

6.118 The setting of the church also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the church (its 'setting') which are considered to contribute to its heritage significance comprise:

- Its churchyard and associated headstones;
- The Grade II Listed Parker Memorial and War Memorial and Table Tombs in the Graveyard;
- The surrounding village settlement of Bottesford;
- Surrounding roads and footpaths from where the church can be seen: and

- Belvoir Castle due to its historical patronage and final resting place for several members of the family.

Contribution of the site to the heritage significance of Church of St Mary at Bottesford

6.119 The site has no economic, social or historic association with the Church of St Mary, but does allow for the church to be experienced in the landscape by affording views of the church spire from some locations within the site. The site might thereby be considered to offer some contribution to the significance of the church, but the site does not provide the only vantage point to experience view of the church and as such the contribution the site makes to its significance is low.

Impact of the proposals on Church of St Mary at Bottesford

6.120 The proposals will not impact on the Listed Building directly, any impact will be via a change to those elements of its setting that contribute to its significance.

6.121 The church is largely screened by surrounding development therefore only the spire, due to its height, can be seen in views across the wider landscape, including from Belvoir Castle, the Park and Garden and the site.

Views of the site and church from Belvoir Castle and the Park and Garden, and in travelling between the heritage assets.

- 6.122 The view from the castle is discussed in preceding paragraphs (see Belvoir Castle), but from the castle the spire is discernible in the distance as a landscape feature only. There is no evidence identified to suggest that any view between the castle and the church and the intervening land, including the site, was significant to either the church or the castle. However, the ability to see the church and the site together from the castle is in a static and filtered view only and is very limited due to the extensive tree cover around the castle.
- 6.123 From the Park and Garden views of the spire are obtained from Woolsthorpe Avenue (Jubilee Way), and north of the Engine Yard, but again only the spire is discernible in the distance as a landmark feature only and there is no evidence identified to suggest that any view between the park and garden and the church and the intervening land, including the site, was significant to either the church or the landscaping of the park and garden. However, the ability to see the church and the site together in any detail from the Registered Park and Garden is very limited due to the intervening distance.
- 6.124 In considering the travel routes between the castle and the church, due to the historical association between the two, it

is likely that the ducal family and estate workers would have travelled along Belvoir Road / Woolsthorpe Road and over Toston Hill to Bottesford and the church. This is also the route that 19th-century tourists were encouraged to take from the Bottesford (see preceding section–Belvoir Castle). These routes are more formal avenues, processional in character, in contrast to the winding routes through Muston and Easthorpe. However, along these routes there are few notable views of the church on approach from the castle.

- 6.125 Despite the historical association between the castle and St Mary’s Church, the landscape and travel routes between them do not appear to have been laid out to take advantage of any particular view of the church or the spire, and any views are generally glimpsed between or over hedgerows and are incidental views.

Views from the site.

- 6.126 From the footpath (F82) that traverses the site there are northward views of the church spire starting at the Muston village end. This footpath does not align with the church itself and the church is unlikely to have been a destination point for its users. Views from the footpath are thereby incidental and not planned and the footpath is unlikely to have arisen from being a route to the church.
- 6.127 The solar development will be visible in the foreground in

views from along the footpath, although the fields closest to Muston will remain open and without panels. However, when considering the height and prominence of the church spire and the low height of solar development the church spire will remain a visible feature in the landscape. The panels have also been stepped back from the footpath to ensure that longer distance views northwards towards the church are retained.

- 6.128 The development will change the view in the foreground but the views from the footpath are few in number when considered in the context of the wider landscape and the numerous opportunities to view the church spire from numerous other vantage points.
- 6.129 The landscaping strategy proposes enhanced field boundary planting which will mitigate the impact of the proposals largely screening the panels from views with the church. The planting will result in the loss of some views but the ability to see the church varies along the path. The landscaping strategy also provides opportunity to interpret the heritage through interpretation boards **(see Heritage Photomontages 6B, 7A and 13A)**.

Views towards the church from Easthorpe Lane, Muston.

- 6.130 Easthorpe Lane is an historic route connecting Muston to Easthorpe and Bottesford, although the route has been

severed by the A52 by-pass the visual connection between the settlements is maintained by views of St Mary's church spire.

- 6.131 The site boundary has been amended over the development of the proposals on recommendation from Historic England to omit the fields closest to Easthorpe Lane. As such the proposals are unlikely to be visible in views towards the church from Easthorpe Lane, and any views will be largely screened by existing field boundary hedgerows. Also, when considering the height and prominence of the church spire and the low height of solar development, the church spire will remain a visible feature in the landscape and still will connect the settlements visually maintaining any purpose of navigation between the two whether historically or today **(see Heritage Photomontages 5)**.

Summary of impact on Church of St Mary at Bottesford

- 6.132 The proposed solar development due to its low level will not erase the prominence of the church, especially its spire, in the landscape or erase any visual connection between heritage assets or any function it has as a navigational feature in the landscape. In certain views, namely from the footpath that traverses the site, the solar development will encroach on views towards the church resulting in some change in the landscape appearance, however this impact will be largely mitigated by the landscaping strategy through

the screening that will be afforded by the hedgerow planting and management, thereby this encroachment will be very limited and **might only be considered to be less than substantial harm, and at the lowermost end of that spectrum,** to the significance of the church.

Heritage Asset: Church of St John the Baptist at Muston

NHLE: 1360899

Distance from site: c.0.6km to the site boundary.

Asset Type: Grade II* Listed Building.

Date Designated: 1st January 1968

Description

- 6.133 The Church dates from the 13th century and was restored in 1875-6. It is built from ironstone with limestone dressings and has a three-stage tower that is visible in the surrounding landscape.
- 6.134 The immediate setting of the Church is the churchyard with burials and headstones along with the Grade II Listed war memorial. Beyond the churchyard is the village of Muston and countryside of arable and pasture fields and meadows.
- 6.135 A copy of the List Description is provided in the appendices.

APPENDIX 8: CHURCH OF ST JOHN THE BAPTIST AT MUSTON LIST DESCRIPTION



Plate 26: The Church in relation to the site.

Summary of Significance of Grade II* - Church of St John the Baptist at Muston

- 6.136 The Grade II* Listing of the church highlights that it is a heritage asset of the highest significance as defined by the NPPF. The heritage significance of this Listed Building is principally embodied in its historic interest which has been a spiritual and communal centre for community since the 13th

century and its architectural interest as a 19th-century restored medieval church.

6.137 The church is very much associated with the settlement of Muston and it is at close proximity that it is best appreciated and experienced, although its spire is visible from greater distances, for example from Easthorpe Lane, Castle View Road, Footpath F82 and from the northern boundaries of the Registered Park and Garden at Belvoir Castle. Whilst the spire can be seen, it is not overtly prominent, due to its lesser height and the density of tree screening and the village settlement that surrounds it.

6.138 The setting of the church also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the church (its 'setting') which are considered to contribute to its heritage significance comprise:

- Its churchyard and associated headstones;
- The Grade II Listed War Memorial;
- The surrounding village settlement and fields to the south of the A52 and east of Easthorpe Road that affirm its rural character.

Contribution of the site to the heritage significance of St John the Baptist Church at Muston

6.139 The site has no economic, social or historic association with the Church of St John the Baptist but does allow for the church to be experienced in the landscape by affording limited views of the church spire from some locations within the site. The site cannot be seen from the church itself. The site might thereby be considered to offer a low contribution of the significance of the church.

Impact of the proposals on St John the Baptist Church at Muston

6.140 The proposals will not impact on the Listed Building directly, any impact will be via a change to those elements of its setting that contribute to its significance.

6.141 The church is largely screened in views towards it from most vantage points by surrounding development and trees, including views from within the site or beyond the site boundary.

6.142 There are no opportunities to see the site from within the church and views from within the churchyard towards the site are screened by existing development and trees.

6.143 From within the site the church, principally its spire, can be seen from the footpath that traverses the site, footpath F82.

However, several of the fields between the footpath and the village and church will not contain any solar panels and as such will not interrupt any intervening view of the church from vantage points along the footpath. The panels will be visible in wider periphery views, but they will not interfere with any ability to see the church, understand it as part of the settlement of Muston, or its ability to act as way marker in the landscape either historically or today.

- 6.144 The proposed landscaping strategy proposes enhanced field boundary planting which will mitigate the impact of the proposals largely screening the panels in periphery views with the church (**see Heritage Photomontage 7B**).
- 6.145 Whilst views from Castle View Road generally focus on the castle there are views eastward and across the site towards the church spire. However, the intervening distance ensures that the church is not overtly prominent in any view from Castle View Road.
- 6.146 The lack of any footpath extending directly across the site from Castle View Road ensures that the church does not act as a focal point that terminate a route or acts as a point of destination from this vantage point.
- 6.147 Solar panels and associated infrastructure will be visible in the foreground in views from Castle View Road however, the ability to see the church spire will be retained due to the low

height of the panels. This is evidenced by the fact that the church currently can be seen above hedge lines and vegetation in the existing landscape (**see Heritage Photomontage 12**).

- 6.148 From Easthorpe Lane the church is visible as part of the settlement at Muston and historically would have been visible along the road from Easthorpe prior to the construction of the A52 by-pass.
- 6.149 The proposed development will only be visible in wider peripheral views with the church in views along Easthorpe Lane. However, the omission of the fields closest to Easthorpe Lane from the scheme on advice from Historic England has significantly reduced any visual impact from this vantage point, whilst the proposed landscaping strategy will largely screen the panels fully in any view (**see Heritage Photomontage 2**).
- 6.150 In summary any harm will only arise from the ability to see the solar development in the foreground of views of the church, primarily from Castle View Road, but the ability to see the church in all views will be retained due to its height. Any harm **might only be considered to be less than substantial harm, and at the lowermost end of that spectrum**.



Plate 27: The extent of screening surrounding the Church of St John the Baptist in views to the south and west.

Heritage Asset: Peacock Farmhouse

NHLE: 1294974

Distance from site: c.0.5 km to the site boundary.

Asset Type: Grade II Listed Building.

Date Designated: 31st August 1979

Description

- 6.151 The farmhouse was built in 1751 and has later alterations. Records show that the building was part of the Belvoir Estate and part of the site was farmed by the tenant of Peacock Farm (see 5.22).
- 6.152 The building is two-storeys with the front and west gable built from stone; all other elevations are built in brick. The roof is a combination of clay and concrete tiles and the windows are 20th-century.
- 6.153 The house is set back from the roadside behind a low brick boundary wall with gate with a lawned area. Immediately to its northwest is the access drive and associated farm buildings built in brick and pantile. To the rear is a defined garden area with outbuildings. Beyond the garden boundary are traditional and modern farm buildings, a yard and the fields.
- 6.154 A copy of the Listed Description is provided in the appendices.

APPENDIX 9: PEACOCK FARMHOUSE LIST DESCRIPTION



Plate 28: Peacock Farmhouse in relation to the site.

Summary of Significance of Grade II Listed Peacock Farmhouse

6.155 The Grade II Listing of the farmhouse highlights that it is a heritage asset of the less than highest significance as defined by the NPPF. The heritage significance of this Listed Building is principally embodied in its **architectural interest** as an example of a mid-18th-century farmhouse which adopts typical 18th-century form and appearance with a focus on proportion and symmetry, but in a vernacular style reflected by the use of materials. Its **historic interest** is as a farmhouse was part of the Belvoir estate and represents a part of the nation's agricultural heritage.

6.156 The setting of the farmhouse also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the church (its 'setting') which are considered to contribute to its heritage significance comprise:

- Its garden curtilage – from where the building can best be appreciated;
- Its associated traditional farm buildings;
- Some elements of the wider rural landscape, including the fields immediately adjacent to its garden which it has clear intervisibility with.

Contribution of the site to the heritage significance of Peacock Farmhouse

6.157 The site forms part of the Belvoir estate and was farmed by an estate tenant at Peacock Farmhouse, thereby the site has some contribution through an economic, social and historic connection with the farmhouse. However, the site affords no contribution with regards to visibility and views either to or from the Listed Building. The contribution of the site to the significance of the farmhouse is thereby low.

Impact of the proposals on Peacock Farmhouse

6.158 The proposals will not impact on the Listed Building directly, any impact will be via a change to those elements of its setting that contribute to its significance.

6.159 The site will not be visible in views with the house from the front (roadside) due to the distance of the site from the Listed Building, the intervening rear garden and the intervening field between the site and rear garden.

6.160 From the rear of the house there will only be glimpsed views of the site, these views will be partially screened by existing trees and field boundaries and the intervening buildings and the fields which forms the immediate setting of the house and garden. It is anticipated that views are likely from upper floors within the building.

6.161 The farmhouse is seen within a grouping of buildings in Muston with the focus generally being on the roofscape due to intervening screening from other buildings and vegetation. While the solar panels will be visible within peripheral longer views from the site and across it, focus will still be maintained on the roofscape of the building and its grouping. These longer views from within the site, or across the site towards farmhouse will thereby change but these views do not contribute to the significance of Peacock Farm (**see Heritage Photomontage 7B**).

6.162 Overall, there will be a change in views towards the farmhouse, but these views are generally limited from the public footpaths and do not contribute to the significance of the Listed Buildings. Whilst the proposed development will change the appearance of the site, the economic, social and historic connection with the estate will still be retained. In summary there shall be **no harm to the significance of the farmhouse** via any change to its setting.

Heritage Asset: Village Cross at Muston

NHLE: 1017495 & 1075068

Distance from site: c.480m to the site boundary.

Asset Type: Scheduled Monument and Grade II* Listed Building

Date Designated: Scheduled on 8th December 1997 and first Listed on 1st January 1968

Description

- 6.163 The cross is 14th-century in origin and was restored in the 19th century. It is built from limestone on a plinth of four steps. The shaft is octagonal and terminates with a 19th-century cross.
- 6.164 Village crosses had a variety of functions as stations for processions, places for preaching, proclamation and penance, where markets were held, and areas where transactions were validated.
- 6.165 The Village Cross sits on a small grassed elevated site on the north side of Woolsthorpe Lane in the village on an area known as the Green. It is surrounded by houses to the north, east and south, while to the west is an open field and countryside beyond.
- 6.166 A copy of the List and Scheduling Description is provided in the Appendices.

APPENDIX 10: LIST DESCRIPTION FOR THE VILLAGE CROSS AT MUSTON

APPENDIX 11: SCHEDULING DESCRIPTION FOR THE VILLAGE CROSS AT MUSTON



Plate 29: The Cross in relation to the site.

Summary of Significance of Scheduled and Grade II* Village Cross at Muston

- 6.167 The Scheduling and the Grade II* Listing of the cross

highlights that it is a heritage asset of the highest significance as defined by the NPPF. The heritage significance of this Monument and Listed Building is principally embodied in its **historic interest** as a structure that yields evidence of past societal functions and events in this location.

6.168 The setting of the cross also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the cross (its 'setting') which are considered to contribute to its heritage significance comprise:

- The elevated grassed area immediately surrounding the cross.
- The roadside from where it can be appreciated and accessed from.
- The village which it served.
- The open field opposite to the west.

Contribution of the site to the heritage significance of Village Cross at Muston

6.169 There is no identified functional or historic association of the site with the cross, nor does the site enable the cross to be experienced or appreciated in views from the site, or the site in views from the cross. It is considered that the site does

not contribute to the significance of the cross.

Impact of the proposals on Village Cross at Muston

- 6.170 The proposals will not impact on the Scheduled Monument or Listed Building directly, any impact will be via a change to those elements of its setting that contribute to its significance.
- 6.171 The elevated position of the cross allows for views westwards towards the site but due to the distance of the site from the cross and the intervening development and fields the site cannot be seen. When considering this and the low height of the proposed development the proposals will not be visible in views from the cross.
- 6.172 Views towards the cross are obtained from The Green, Woolsthorpe Lane and from the field opposite to the west. The field is not a publicly accessible point. Views from within the site towards the cross are very limited due to the screening provided by existing buildings between the cross and the site.
- 6.173 In summary there shall **be no harm to the significance of the cross** via any change to its setting with regards to views towards or from the asset.



Plate 30: Looking westward from the cross looking towards the site – site not visible.

Heritage Asset: Earthwork Remains of the Moated Grange Site at Muston

Asset Type: Scheduled Monument

NHLE: 1009175

Date Designated: 5th March 1993

Distance from site: c.0.5 km to the site boundary.

Description

- 6.174 The grange site was a farm owned and run by a monastic community with the function to provide food and raw materials for consumption within the parent monastic house. Monastic granges first appeared in the 12th century.
- 6.175 The moated grange complex has documented connections with the priory of Olveston near Bristol, and features similarities between other grange sites in north-east Leicestershire. The extent of the surrounding land ownership or association with the Grange in the medieval period is unidentified, but the site has been part of the Belvoir Estate since at least the mid-19th century (see Section 5).
- 6.176 The grange site contains an internal fishpond on the western bank of the River Devon and the moated area is sub rectangular with the north-eastern boundary following the course of the river. In the centre of the moated area is evidence of a house platform and traces of further platforms and a hollow trackway.

- 6.177 The earthworks are now divided by field boundaries and across the river to the north and east comprises small fields and Muston village. The setting of the monument to the west comprises further fields, with those adjacent to the site showing slight ridge and furrow. Easthorpe Lane provides a physical barrier between these fields and the site. The wider landscape, including the site, is largely of a modern composition and includes modern intrusions including the A52 carriageway and overhead powerlines, alongside enclosure period and modern fields. The wider landscape in this direction thereby cannot be considered to be a relic of the historic landscape setting of the complex.
- 6.178 The Grange, when operational in the medieval period, would have been part of a wider medieval landscape. Other surviving buildings of this period include the church at Bottesford; the church at Muston, Belvoir Castle, although not as it currently appears. Other religious establishments would also have included the Priory at the base of Belvoir Castle.

6.179 A copy of the Scheduling is provided in the appendices.

APPENDIX 12: SCHEDULING DESCRIPTION FOR EARTHWORK REMAINS OF THE MOATED GRANGE SITE AT MUSTON



Plate 31: The Scheduled Monument (blue) in relation to the site.

Summary of Significance of Scheduled Earthwork Remains of the Moated Grange Site at Muston

6.180 The Scheduling highlights that it is a heritage asset of the highest significance as defined by the NPPF. The heritage significance of this Monument is principally embodied in its **historic interest** as a site that represents a medieval monastic community. The monument also has the potential to yield further evidence of medieval society and thereby has **archaeological interest** also.

6.181 The setting of the moated grange site also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the cross (its 'setting') which are considered to contribute to its heritage significance comprise:

- The relationship of the moated complex with the wider settlement of Muston.
- Some elements of the wider agricultural landscape, particularly fields between the site and Easthorpe Road.
- Contemporary medieval structures and sites the wider landscape.

Contribution of the site to the heritage significance of the Earthwork Remains of the Moated Grange Site at Muston

- 6.182 No economic, social or historic connection of the site with the Scheduled Monument has been identified.
- 6.183 The site does not afford views of the Scheduled Monument or the ability to experience the Monument and the site cannot be seen from the Monument itself. It is considered that the site does not contribute to the significance of the Scheduled Monument.

Impact of the proposals on Earthwork Remains of the Moated Grange Site at Muston

- 6.184 The proposals will not impact on the Scheduled Monument directly, any impact will be via a change to those elements of its setting that contribute to its significance.
- 6.185 The Grange site occupies lower ground than the site and as such the topography, field boundaries, intervening fields and Easthorpe Road ensure that the site is not prominent in views from the Scheduled Monument, with only the hedgerow along Easthorpe Lane visible from the boundary of the Scheduled Monument.
- 6.186 Due to the topography, intervening field boundaries, fields and Easthorpe Lane the Monument is not visible from the site. As such there is no discernible intervisibility between

the site and the Monument.

- 6.187 There is no opportunity to see the site and the Scheduled Monument within the same view from any vantage points again due to the topographical features, including the intervening River Devon and the settlement of Muston which prevents any opportunity to view the site and monument together in views from the north and east.
- 6.188 Approximately 12ha (c.30 acres) has been excluded from development from the fields closest to Easthorpe Lane following recommendation from Historic England in pre-application discussions to further ensure that there is no risk of any intervisibility or co-visibility of the site and the monument.
- 6.189 The proposals will also be contained behind field boundary hedges which will further ensure that it is not visible from the Scheduled Monument (**see Heritage Photomontage 3B, 3C, and 4**).
- 6.190 Whilst the agricultural landscape within its vicinity is a reminder of any assumed functional association the surrounding fields had with the Grange, this would have been severed at the time of the Dissolution, and the landscape has changed since then through enclosure and later interventions. The site thereby is visibly more associated with the Belvoir Estate today, than with the now lost

medieval Grange.

- 6.191 However, the proposed solar development will not destroy the agricultural landscape as the fields beneath the panels will remain together with the field boundaries, allowing the agricultural landscape to still be read and understood.
- 6.192 The retention of field boundaries and the low height of solar development will still allow the historic context of its wider agricultural landscape to be read and understood (although the agricultural landscape is no longer medieval in form). Whilst the fields between Easthorpe Lane and its western boundary of the Monument adequately serve this function, the site boundary has been amended in advice from Historic England to exclude the fields closest to Eastthorpe Lane to ensure greater retention of the agricultural landscape context in areas of closer proximity to the monument.
- 6.193 The visual relationship of the Monument with other medieval structures within the vicinity will remain unchanged. The Church spires will still be dominant and visible elements when moving to and from the Monument, whether along the footpaths that traverse the Monument or from along Easthorpe Road. There is no visual relationship with Belvoir Castle due to the topography and any relationship between the Monument and castle or priory is purely historic, long severed by the Dissolution (**see Heritage Photomontage 3A, 3C, and 5**).

- 6.194 When considering the existing topography of the monument and its setting, the intervening distance between the monument and the site, including existing screening and the physical barrier of Easthope Road, together with the low height of the proposed solar development, the proposals will result in **no harm to the significance of the Scheduled Monument** via a change to its setting.

Heritage Asset: Easthorpe Conservation Area

Asset Type: Conservation Area

NHLE: n/a

Date Designated: 1987

Distance from site: c.0.5 km to the site boundary.

Description



Plate 32: Easthorpe Conservation Area (blue) in relation to the site

6.195 Easthorpe is a hamlet within Bottesford parish. The

Conservation Area is split into two areas. The eastern area is closest to the site and comprises properties at the top end of Castle View Road.

6.196 Both parts of the Conservation Area are tightly drawn around the built form of the village which includes a variety of buildings and styles including the following designated heritage assets:

Western Area

- Scheduled Monument Shifted medieval village earthworks and moat at Easthorpe, (NHLE: 1009195).
- Grade II Listed Building Manor Farmhouse and Easthorpe Manor, (NHLE: 1180318).

Eastern Area.

- Grade II Listed Building 15 Castle View Road, (NHLE: 1294991).

6.197 The setting of the Conservation Area to the south and east comprises agricultural fields and the A52 road, of which there are glimpsed views from between and from the rear of

properties in the area. The fields and A52 contribute to defining the southern extent of the village. The setting to the north and west of the Conservation Area generally comprise further development including the village of Bottesford.

6.198 The Draft Conservation Area Appraisal⁷⁵ notes that '*fine views are available northward towards Bottesford as well as intimate views within the village*' but makes no reference to any southward views.

Summary of Significance of Easthorpe Conservation Area

6.199 The heritage significance of the Conservation Area is principally embodied in its **historic interest** as an historic settlement; its **architectural interest** from the numerous historic buildings, and **archaeological interest** from its potential to yield information about past human activity, especially at the Scheduled Monument site within and adjacent to the Conservation Area.

6.200 The setting of the Conservation Area also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the cross (its 'setting') which are considered to contribute to its heritage significance comprise:

- Some aspects of the surrounding agricultural landscape that define the extent of the area;
- The village of Bottesford in which parish the hamlet is part of.

Contribution of the site to the heritage significance of Easthorpe Conservation Area.

6.201 There is no identified functional association of the site with the Conservation Area and whilst historically the site might have formed part of the Area's wider landscape setting the construction of the A52 has severed any connection visually and physically. The site is considered to not contribute to the significance of the Conservation Area.

Impact of the proposals on Easthorpe Conservation Area.

6.202 The proposals will not impact on the Conservation Area directly, or the Listed Buildings and Scheduled Monument within it, any impact will be via a change to those elements of its setting that contribute to its significance.

6.203 While the fields immediately to the south of the Conservation Area do contribute to its significance by providing a clear extent of the boundary of the built form of the village and ensuring its rural character, the site lies beyond this area of setting and beyond the A52 main road. The A52 and its

75 Melton Borough Council. Easthorpe Conservation Area Appraisal.
<http://www.melton.gov.uk/downloads/file/803/easthorpepdf>. Accessed 04.11.2020

boundaries comprise mature hedgerows and effectively severs the Conservation Area both physically and visually from the site. The fields south of the A52, including the site, do not contribute to the significance of the Conservation Area.

6.204 The proposals will not impact on any views of the Conservation Area and its setting or any significant views from within the Conservation Area, especially those identified in the Conservation Area Appraisal referred to above.

6.205 Due to the distance of the site from the Conservation Area, the low height of the proposed development, intervening screening and the physical and visual barrier of the A52, the proposals at the site will result in **no harm to the significance of the Conservation Area** or any heritage assets within it.



Plate 33: View from Easthorpe conservation area (site hidden behind a 52 and trees - panels would be behind the yellow and boundaries - indicative only).

The Historic Landscape

6.206 The landscape between Belvoir Castle to the south, Bottesford and Easthorpe to the north, Muston to the east and Redmile to the west of the site is not a designated heritage asset, with the exception of those parts or assets discussed in Section 6, but it does provide the context and setting for heritage assets and how some are experienced or appreciated. The impact of the proposals on each heritage asset and their settings has been discussed above.

6.207 The distances between the heritage assets generally mean that only those that are the largest or most prominent contribute to the landscape as part of providing any meaningful experience or understanding of it as an historic landscape. These include, Belvoir Castle, the Church of St Mary at Bottesford, the elevated elements of the Registered Park and Garden, and the Church of St John the Baptist at Muston. The latter is to a lesser extent due to its lower height spire and surrounding screening by trees and the village. The Grade II* Listed Church of St Peter at Redmile has been excluded from the detailed assessment within the landscape due to its distance from the site and the general lack of intervisibility from the site or co-visibility with the site.

6.208 No evidence has been identified that suggest that the

visibility between the heritage assets is important, i.e., they were purposefully designed to be seen from each other, or the functional connection between them was such that the visual historic relationship is worthy of preservation. However, the scale, height and prominence of the heritage assets ensures that they will still be visible above the proposed solar development. This is evidenced by current views of these heritage assets where they all remain visible above existing hedgerows and trees. The proposed development will not erode the role of heritage assets to be historic landmarks within the landscape.

6.209 The approaches to Belvoir Castle, whether formal, or tourist routes has been examined in the preceding paragraphs in this section. The site makes little or no contribution to the experience of the approach to the castle. The site is predominantly to the rear of views on the approach, and its distance from, and intervening screening between makes it indistinguishable in views when travelling from the castle.

6.210 Any impact within the landscape relates to changes in views towards or from heritage assets. The preceding paragraphs of this section examine this in detail, but it is evident that the site does not form a fundamental aspect of the design of

any heritage asset, i.e., forming part of a consciously designed view. Historical writings even referred to views to the north from Belvoir Castle as “dreary”.⁷⁶

- 6.211 Views towards and from the site, especially to and from the castle are simply incidental or fortuitous but again have been considered not to be significant. Significant views to or from the castle have generally been considered to be those from and to the south. However, those on approach to the castle from between Muston and Woolsthorpe and from along Belvoir Road and Long Lane might also be considered significant as they provide for dramatic views of the castle on final approach.
- 6.212 The view from the A52 is truly fortuitous, resulting from its construction in 1989 and is not readily appreciable by vehicular passengers on the road due to intervening screening and the speed of the road, any views are fleeting glimpses only. Views are only obtained from Easthorpe Lane and the connecting track to Castle View Road by walkers and cyclists. However, views of the castle and the Registered Park and Garden are obtained at a long distance, and are reliant on a clear sky, i.e., no low cloud or fog. Views from here are extensive across a wide landscape which the site forms a small part of. The view from here is just one opportunity to see the castle and Park and Garden within a

landscape that allows for numerous views.

- 6.213 The public footpath that traverses the site is understood to have been introduced in the late 19th century as it not shown on earlier maps and does not follow earlier 19th-century field boundaries. Thereby it is unlikely to have been a medieval route between Muston and Redmile, or the possible deserted settlement at Toston Hill. It is not on a direct route to Belvoir Castle but is likely to be to have been created to form a pedestrian route from Muston to Redmile and Bottesford Wharf on the Grantham Canal, immediately to the south of Toston Hill.
- 6.214 Again, views from here are towards the spire of the Church of St Mary at Bottesford, St John the Baptist at Muston, and towards Belvoir Castle. There are glimpsed views of the spire of the Church of St Peters at Redmile, but it is not considered to be a landmark within the view. These views are all incidental and not major components of the setting of these heritage assets, although the view of St John the Baptist at Muston does act as a landmark in views eastward along the path and defines Muston as a destination point to walkers.
- 6.215 However, as stated above, the solar development will not prevent any of these heritage assets from being seen and to ensure they do not encroach on the view the fields have been

⁷⁶ Rev. Miller, I. 1841. The History of Belvoir Castle, from the Normal Conquest to the Nineteenth Century. R Tyas. London. Pg 318

omitted from the scheme at the eastern end of the path and to its south and will not contain any solar panels.

- 6.216 Historic England, in their guidance *The Setting of Heritage Assets* acknowledge that the significance of such heritage assets is more likely to be on the landscape value than their heritage 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."*⁷⁷

- 6.217 Toston Hill to the west of the site is understood to potentially be the site of a deserted medieval village and is an area of higher ground in the landscape. Although no longer a settlement it is a site that would have been contemporary with the churches, Belvoir Castle, the moated grange site, and Belvoir Castle prior, prior to the Dissolution.
- 6.218 However, although it is an elevated area, views to the east are limited by tree belts, and whilst the castle is visible in

views southwards the hill does not allow for extensive panoramic views across the landscape or provide any opportunity to visually connect heritage assets or provide any glimpse of the medieval landscape that is now largely lost.

- 6.219 The site thereby forms part of the landscape setting of several heritage assets but does not necessarily contribute to the heritage significance of all. The site and much of the landscape is in common ownership with Belvoir Castle, being a long-established part the Belvoir estate. The estate, and landscape has witnessed continual change with the demise of medieval settlements and religious establishments and especially since the 18th century with the construction of the Grantham Canal, the Knipton Reservoir, the expansion of surrounding villages, the arrival of the railway, electricity pylons, and most recently the A52 by-pass. The landscape thereby is not static but an evolving landscape with each generation which the estate has helped shaped, which too reflects its role in the landscape.

- 6.220 Annex 2 of the NPPF defines the setting of a heritage asset 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

⁷⁷ Historic England. *The Setting of Heritage Assets* Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)

contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”

6.221 The landscape in which the site is located is an evolving landscape and forms only a small part of a much wider landscape, but it is not a heritage asset itself.

Summary of impact on the historic landscape

6.222 The **landscape is not a heritage asset** itself, although it does contain areas that are designated, including the Conservation Areas and the Registered Park and Garden. The heritage significance of the site and the landscape thereby is derived from any contribution it makes to the significance of the heritage assets within the wider landscape. This has been examined in detail for each heritage assets above.

6.223 The site does not make a high level of contribution to the significance to any heritage asset as part of its functional or historically association or through any contribution or visual relationships between heritage assets.

6.224 The pattern of the piecemeal enclosure of the land at the site will remain with the retention of field boundaries and the site will remain a tranquil part of the wider landscape.

6.225 Thereby any harm cannot be attributed an 'historic landscape' as a heritage asset but only with regard to impact on the heritage significance or special interest of individual heritage assets.



Plate 34: View Eastwards to the nearly indistinguishable church of St Peter at Redmile from footpath F82. Panels would be in front of the yellow and boundaries -indicative only).



Plate 35: View southwards from footpath G1 where it crosses Long Lane towards Belvoir Castle – the proximity from here allows for better appreciation of the castle from this vantage point. The site is not visible in this view being north of this vantage point.



Plate 36: View eastwards towards the site from Toston Hill from break in the hedgerow. The site is beyond the pylons.



Plate 37: View southwards towards Belvoir Castle from Toston Hill – site is several fields from the field boundary to the east (left) and not visible from this vantage point.

7. Cumulative Impact

- 7.1 Historic England in their guidance on commercial renewable energy⁷⁸ recommends that the potential impact of development proposals on the significance of a historic landscape or the setting of heritage assets are considered in conjunction with other past or proposed developments, where appropriate.
- 7.2 Whilst Historic England guidance is clear that where the significance of a heritage asset has already been compromised by unsympathetic development affecting its setting, proposals need to consider whether additional change will further detract from the significance. The guidance reads as follows:

*"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. Negative change could include severing the last link between an asset and its original setting; positive change could include the restoration of a building's original designed landscape or the removal of structures impairing key views of it (see also paragraph 40 for screening of intrusive*

*developments)."*⁷⁹(our emphasis).

- 7.3 Advice Note Seventeen: *Cumulative Effects Assessment Relevant to Nationally Significant Infrastructure Projects*⁸⁰ forms part of a suite of non-statutory advice provided by the Planning Inspectorate recommends an approach to cumulative effects assessments and is clear that it is the effects with "other existing development and / or approved development".
- 7.4 A review of the planning history for solar related planning applications available online at Melton Borough Council, Rushcliffe Borough Council and South Kesteven District Council has identified several sites within the vicinity of the site where the cumulative effect is considered to warrant assessment.
- 7.5 During the decision-making process only one site (planning reference: 14/01739/FUL) is identified as having considered impacts on the heritage assets identified above. The assessment was based on desk-based reports and less than substantial harm was identified to the Church of St Mary at

⁷⁸ Historic England 2021 Commercial renewable energy development and the historic environment Historic England Advice Note 15. Swindon. Historic England.

⁷⁹ Historic England. The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)

⁸⁰ Planning Inspectorate, August 2019, version 2. Advice note seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects

Bottesford and Belvoir Castle, but not sufficiently to warrant refusal of the application. This site has been built out and the visual impact of the proposals have been assessed as part of this assessment. It is considered that this solar development has no harmful impact on either heritage asset via a change to their settings and will have no further detrimental cumulative effect via development at the application site.

- 7.6 The following plan shows the location of solar sites considered and the table provides a summary of the solar development within vicinity of the site.

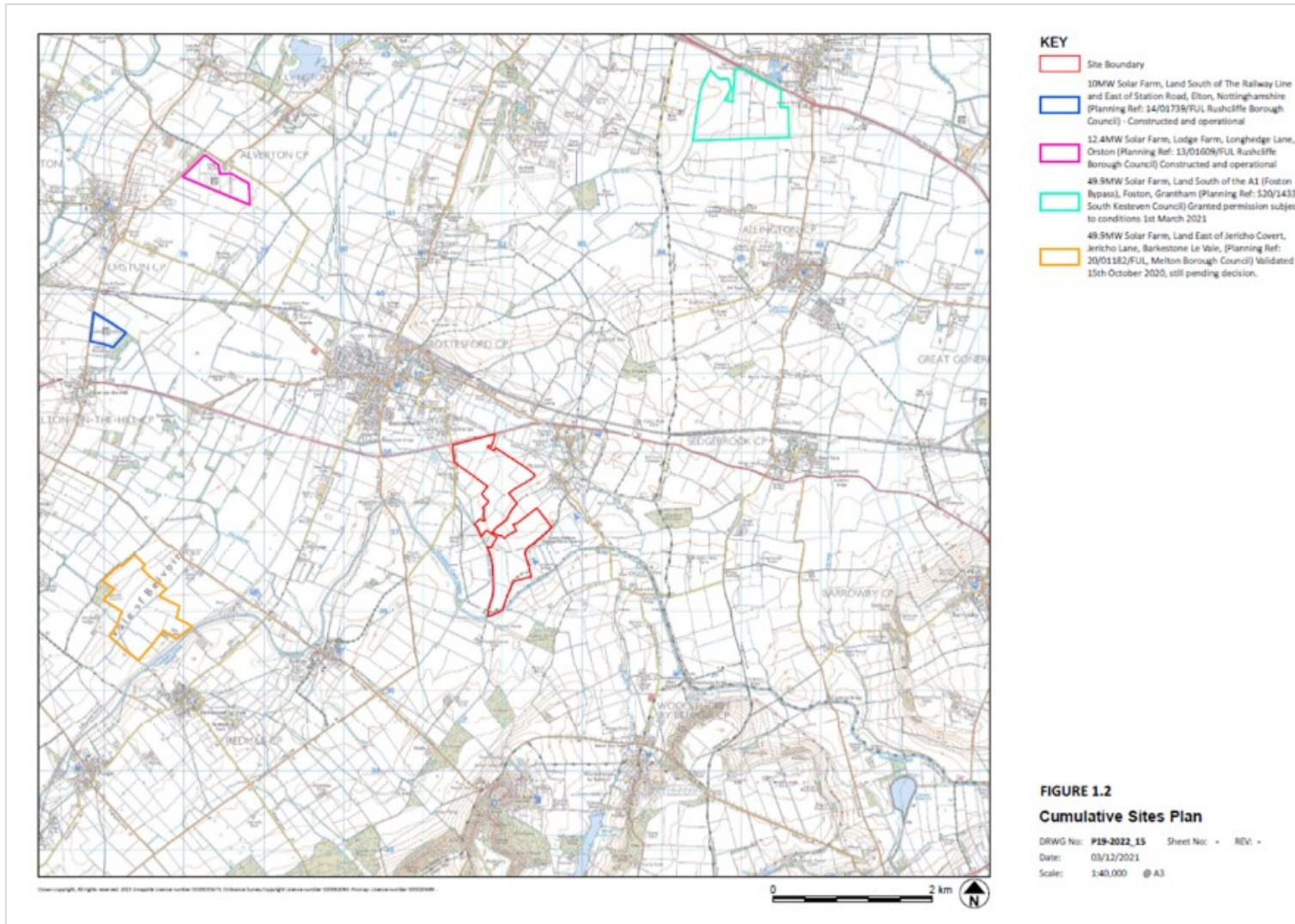


Plate 38: Location of solar development within the vicinity of the site (this is also included in the Environmental Statement).

Melton Borough Council				
Planning Reference	Description	Status	Proximity to site	Comments
20/01182/FUL Land East of Jericho Covert Jericho Lane Barkestone Le Vale	Installation of a solar farm comprising ground mounted solar PV panels with a net installed generating capacity (AC) of up to 49.9MW, including mounting system, battery storage units, inverters, underground cabling, stock proof fence, CCTV, internal tracks and associated infrastructure, landscaping and environmental enhancements for a temporary period of 40 years and a permanent grid connection hub. Open for comment icon	Pending decision	c.3.8 km west of the site.	There is no intervisibility between the two sites or any identified co-visibility of both sites with the heritage assets identified above. Both sites might be visible in panoramic views from the roof at Belvoir Castle but in separate directions to the north-east and to the north-west but both sites will be visible in the context of a development in the wider landscape context.

Rushcliffe Borough Council				
Planning Reference	Description	Status	Proximity to site	Comments
14/01739/FUL Land South of The Railway Line & East of Station Road Elton Nottinghamshire	10MW solar farm with associated infrastructure with the purpose of generating renewable energy for a period of 25 years	Granted 13 th February 2015	c.4.5km north-west of the site.	The LPA Committee Report states that Historic England did not object nor did the LPA Conservation and Design Officer and County Archaeologist. The Conservation Officer stated: "In relation to Bottesford Church and Belvoir Castle I cannot conclude, based upon the submitted evidence, that there is no harm arising from the proposal. However, the harm which does arise is certainly less than substantial, it affects only partially the wider landscape context, does not affect intervisibility between those Grade I heritage assets and ultimately considered to be minor".

				The site has been developed and in undertaking a site visit it is evident that the site has had no harmful impact on the Belvoir Castle or St Mary's Church at Bottesford. The LPA assessment, as admitted in the report was based on the submitted assessments which were considered to be worst case scenarios. The Committee Report does not confirm whether Officer's made an on-site assessment at the time.
13/01609/FUL Lodge Farm, Longhedge Lane, Orston	12.4 MW Solar Farm,		c. 4.5km north-east of the site.	This site is c.4.5km to the north-east of the Application Site and has been constructed. The Local Planning Authority's Officers Report records the comments of Historic England who made no objection to the proposal in relation to impact on heritage significance and the Local Planning Authority's Conservation Officer recognised that there would not a significant impact on heritage assets. The application was determined without undertaking a balance exercise of harm to heritage significance with public benefits and thereby is concluded that the proposal was not deemed harmful to heritage assets.

South Kesteven Council				
Planning Reference	Description	Status	Proximity to site	Comments
S20/1433 Land south of the A1 (Foston-By- Pass), Foston, Grantham	49.9MW Solar Farm	Granted 1st March 2021	c. 4.9km north-east of the site.	This site is c.4.9 km north-east from the Application Site and is not yet constructed. It was not found that there would be harm to heritage assets during the determination of the application and thereby was determined without undertaking a balance exercise of harm to heritage significance with public benefits. It is concluded that the proposal was not deemed harmful to heritage assets.



Plate 39: View from the south of Orston Station (planning ref: 14/01739/FUL) south eastwards towards the site and Belvoir Castle. Distance and intervening hedgerows and trees limit the ability to see the site and any harmful cumulative effect.

8. Conclusions

Archaeology

- 8.1 Cropmarks and geophysical survey anomalies indicate the buried remains of a ring ditch, a pit alignment, and three sub-rectangular enclosures in the north-western part of the site. The morphology of these features is consistent with Iron Age and/or Romano-British settlement activity.
- 8.2 Such remains would be of some heritage significance as derived from their archaeological interest and are likely to constitute non-designated heritage assets. They are not considered to be of a significance commensurate with a designated heritage asset (i.e., a Scheduled Monument).
- 8.3 The geophysical survey has also detected buried evidence of historic agricultural activity, namely plough furrows and ditches and former field boundaries. Such remains typically would be of insufficient significance to constitute heritage assets.
- 8.4 Based on currently available information, there is no indication of the presence within the site of above- or below-ground heritage remains of a significance that would pose an overriding constraint to the development of the site.

Built heritage (settings)

- 8.5 An appropriate and proportionate level of settings assessment has been undertaken for all designated heritage assets within a minimum 1km radius of the site and for selective heritage assets beyond this study area.
- 8.6 The NPPF states that great weight should be given to a heritage asset's conservation and the more important the asset the greater the weight should be.
- 8.7 The most important heritage assets or those of the highest significance assessed include the Grade I Listed Belvoir Castle; Grade I Church of St Mary at Bottesford; the Grade II* Church of St John the Baptist at Muston; the Grade II* Listed and Scheduled village cross at Muston; the Scheduled earthwork remains at Muston, and the Grade II* Registered Park and Garden at Belvoir Castle.
- 8.8 Heritage assets of lesser significance assessed include the Grade II Listed Peacock Farmhouse, Belvoir Castle Conservation Area and Easthorpe Conservation Area.
- 8.9 The proposed development will result in a change to their setting but will **not be seen in views from** Belvoir Castle (other, than from the roof which is not considered to be a

vantage point that contributes to the significance of the building); from the Church of St John the Baptist at Muston; the Church of St Mary at Bottesford; from the Scheduled and Listed village cross at Muston; and from the Scheduled moated grange site.

- 8.10 There will be **potential to see** the development from parts of the Registered Park and Garden and the Belvoir Conservation Area, but the development will be in the far distance in any view and will not be harmful to their significance.
- 8.11 The development **will be seen in views towards** the Castle; the Park and Garden; the Church of St Mary; the Belvoir Conservation Area; and in peripheral views of the Church of St John the Baptist; and Peacock Farmhouse from within the site and from the north of the site.
- 8.12 However, the layout of the solar panels and proposed landscaping ensures that views towards the Castle and the Park and Garden will be preserved as one moves along the public footpath. Whilst from the north of the site the low height of the proposed development and the elevated position of the heritage assets themselves will ensure that views of them will not be lost in their entirety. This is also true for the churches which due to their height ensures that they will remain visible above all surrounding structures and trees, and not totally screened from site by either the panels

or hedgerows. With regards to Peacock Farmhouse the intervening fields and screening between the site and the farmhouse limit the inaccessibility between the building and the site.

- 8.13 The intervening fields and road and general topography and contours between the site and the Scheduled Monument and Listed village cross at Muston, and the Scheduled moated grange site ensures that the proposals **will not be visible** in views towards or from this heritage assets.
- 8.14 The omission of solar panels from fields closest to Easthorpe Lane and the proposed landscaping strategy will further ensure that the proposals **are not visible in views** and minimise visual encroachment of the proposals in views along Easthorpe Lane towards the Church spires.
- 8.15 The site is severed from the Easthorpe Conservation Area and its setting by the A52 road. This significant physical and visual barrier between the Conservation Area and the site ensures that the **site does not form part of the setting** of the Conservation Area.
- 8.16 The landscape is not a designated heritage asset but does provide the context and setting of the heritage assets examined in this assessment. Whilst the landscape is largely formed by fields it is an evolving landscape and not a fully agricultural landscape, with several infrastructure features

within it, and is a landscape that allows for numerous views of the heritage assets, especially Belvoir Castle and the spire of St Mary's Church at Bottesford. The site is one small area of a much larger landscape and any impact on the heritage interest of the landscape can only be assessed on the impact the proposals will have on the significance of the heritage assets within it via any change to their setting.

- 8.17 The proposed landscaping strategy has allowed for interpretation of heritage assets as part of a trail along the public footpath which will improve public access and understanding of their significance to a wider audience for the benefit of users.

- 8.18 Overall, the majority of heritage assets will not be harmed directly or indirectly via development within this setting. Any harm will arise through the visual encroachment only of solar panels on views towards Belvoir Castle; the spire of St John the Baptist Church and the spire of St Mary's Church at Bottesford. Any harm might only be perceived as less than substantial and as the lowermost end of the scale.

Sources

Legislation and Policy Guidance

English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008).

Historic England, *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning Note 2* (2nd edition, Swindon, July 2015).

Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017).

Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (Swindon, October 2019).

Ministry of Housing, Communities and Local Government (MHCLG), *National Planning Policy Framework (NPPF)* (London, July 2021).

Ministry of Housing Communities and Local Government (MHCLG), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

UK Public General Acts, *Ancient Monuments and Archaeological Areas Act 1979*.

UK Public General Acts, *Planning (Listed Buildings and Conservation Areas) Act 1990*.

UK Public General Acts, *Planning and Compulsory Purchase Act 2004*.

Court and Appeal Decisions

Catesby Estates Ltd. V. Steer [2018] EWCA Civ 1697.

Bedford Borough Council v Secretary of State for Communities and Local Government [2013] EWHC 2847 (Admin).

R (Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin).

Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061.

Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others [2014] EWCA Civ 137.

Jones v Mordue [2015] EWCA Civ 1243.

Historic Maps and Archival Material (*consulted at the Leicestershire, Leicester and Rutland Record Office and online*)

1772	Enclosure Map and Award for the Parish of Bottesford [LLRRO ref. En/A/41/1]
1849	Tithe Map and Apportionment) for the Parish of Muston
1884	Ordnance Survey County Series for Leicestershire, 1:2,500
1884–92	Ordnance Survey County Series for Nottinghamshire, Leicestershire, and Lincolnshire 1:10,560
1904–05	Ordnance Survey County Series for Leicestershire, 1:10,560
1919	Ordnance Survey County Series for Leicestershire, 1:2,500
1920	Belvoir Estate Sales Particulars [LLRRO Ref. DE7739]
1951–52	Ordnance Survey County Series for Lincolnshire, 1:10,560
1975	Ordnance Survey Plan, 1:10,000
1990	Ordnance Survey Plan, 1:10,000