

Our Ref: MBC-001-CW
PINS Ref: APP/Y2430/W/24/3340258
LPA Ref: 22/00537/FUL

29th July 2024

The Planning Inspectorate,
Temple Quay House,
2 The Square,
Bristol,
BS1 6PN

By email only

Dear Alison,

APP/Y2430/W/24/3340258 - Fields OS 6700 6722 And 5200, Muston Lane, Easthorpe.

I write following receipt of further correspondence from the Appellant dated 17th July 2024, which seeks clarification on several matters including heritage and amenity impacts. The Council advises as follows.

- Firstly, the Council accepts that a typo exists in the previously submitted 'MBC Heritage Assets affected table' document. 'Harm' to the listed heritage assets is erroneously stated as being 'less than significant', when it should read 'less than substantial'. Please accept my apologies in this regard.
- The Council considers that the setting of the following designated heritage assets are impacted, to varying degrees, by the Appeal Scheme:
 - Grade I Listed Belvoir Castle
 - Grade II* RPG at Belvoir Castle
 - Belvoir Conservation Area
 - Grade I Listed Church of St Mary, Bottesford
 - Muston Grange Scheduled Monument

The Council considers that 'harm' to the listed heritage assets lies at the 'midpoint' within the 'less than substantial harm' spectrum for all assets except the Muston Grange Scheduled Monument, for which the harm is at the 'lower end' of this spectrum.

This list differs from that previously provided on 17th June 2024, as the Council no longer

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considers that there is harm to:

- (i) Shifted medieval village earthworks and moat at Easthorpe;
- (ii) Muston village cross (scheduled monument and Grade II* listed building); and
- (iii) St John's Church Muston.

- The Council is not arguing that the landscape is a 'valued landscape' under the terms of paragraph 180(a) of the NPPF.
- The Council will not be arguing that there will be direct adverse effects on residential amenity. As set out in the reason for refusal, there will be impacts on the visual amenity of receptors using the public rights of way network (i.e. visual effects as assessed under GLVIA), but the Council will not be arguing that there will be adverse effects on residential amenity.
- The Council will not be arguing that there will be unacceptable glint and glare impacts in respect of direct residential amenity and highway matters. Glint and glare may have some impact on residents as they utilise the rights of way network. The Council will be arguing that the glint and glare assessment fails to consider impacts on the setting of Belvoir Castle, the RPG and Belvoir Conservation Area.

Finally, the Council will continue to work with the Appellant in a positive manner as both sides work towards agreeing a Statement of Common Ground by Wednesday (31st). The Council sent a draft back to the Appellant on 10th July 2024 and is waiting to hear back from the Appellant with its comments on that draft.

Please do not hesitate to contact me should you have any queries.

Yours Sincerely,



Mr Peter Bond
Director
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