

Proof of Evidence Appendices– Heritage.

Fields OS 6700, 6722 & 5200, Muston Lane, Easthorpe.

Appeal by JBM Solar Projects 10 Ltd.

Date: 13/08/2024 | Pegasus Ref: P19-2022

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Author: Hannah Armstrong BA(Hons) MSc IHBC ACIfA
Director



Contents.

| | |
|--|----|
| 1. Methodology..... | 1 |
| 2. Review of Photomontages Against Scheme Revisions..... | 8 |
| 3. Designated Heritage assets at Belvoir Castle..... | 13 |
| Belvoir Castle and the Associated Designed Landscape | 13 |
| Belvoir Castle Conservation Area | 40 |
| 4. Church of St Mary, Bottesford..... | 46 |
| 5. Relevant Designated Heritage Assets at Muston..... | 49 |
| Scheduled Grange Site | 49 |
| Grade II* Listed Church of St John the Baptist..... | 52 |
| 6. Legislation and Planning Policy..... | 55 |
| 7. Glint & Glare Assessment Addendum..... | 61 |

1. Methodology.

Key Documents

- 1.1. The key documents that have been used in the preparation of this Proof of Evidence comprise:
 - *Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment*¹ (henceforth referred to as 'GPA 2');
 - *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Second Edition)*², the key guidance of assessing setting (henceforth referred to as 'GPA 3');
 - *Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (henceforth referred to as 'HEAN12')³; and
 - *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment*⁴ (henceforth referred to as 'Conservation Principles').

Assessment of Significance

- 1.2. 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."⁵
- 1.3. 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.
- 1.4. In order to do this, GPA 2 also advocates considering the four types of heritage value an asset may hold, as identified in *Conservation Principles*.⁶ These essentially cover

¹ Historic England, *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2* (2nd edition, Swindon, July 2015) – CD 4.21.

² Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017) – CD 4.22.

³ Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (Swindon, October 2019) – CD 4.24.

⁴ English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008) – CD 4.23.

⁵ MHCLG, *NPPF*, p. 71-72 – CD 4.1.

⁶ English Heritage, *Conservation Principles* – CD 4.23. These heritage values are identified as being 'aesthetic', 'communal', 'historical' and 'evidential', see *idem* pp. 28-32.



the heritage 'interests' given in the glossary of the NPPF⁷ and the national Planning Practice Guidance (PPG) which are **archaeological, architectural and artistic** and **historic**.

1.5. 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."⁸*

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

1.7. The most-recently issued guidance on assessing heritage significance, HEAN12,⁹ advises using the terminology of the NPPF and PPG, and thus it is that terminology which is principally used in my Evidence.

Levels of Significance

1.8. 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 206 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 72 of the NPPF;

⁷ MHCLG, NPPF – CD 4.1.

⁸ DLUHC, PPG, paragraph 006, reference ID: 18a-006-20190723 – CD 4.2B.

⁹ Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets*, Historic England Advice Note 12 (Swindon, October 2019) – CD 4.24.

- **Designated heritage assets of less than the highest significance**, as identified in paragraph 206 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”.¹⁰

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

Setting and Significance

1.10. As defined in the NPPF:

“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”¹¹

1.11. ‘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

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

Assessing Change Through Alteration to Setting

1.13. How ‘setting’ might contribute to these values has been assessed within this my Evidence with reference to *GPA 3* particularly the checklist given on page 11. This advocates the clear articulation of “*what matters and why*”.¹³

1.14. 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

¹⁰ DLUHC, PPG, paragraph 039, reference ID: 18a-039-20190723 – CD 4.2B.

¹¹ MHCLG, NPPF, p. 72 – CD 4.1.

¹² MHCLG, NPPF, p. 71 – CD 4.1.

¹³ Historic England, *GPA 3* p. 8 – CD 4.22.



which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

- 1.15. 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.
- 1.16. 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)¹⁴:

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

- 1.17. When considering changes in 'setting', a recent Secretary of State Appeal Decision (henceforth referred to as the 'Edith Summerskill House Decision') has clearly set out that:

“In cases where the impact is on the setting of a designated heritage asset, it is only the significance that asset derives from its setting that is affected. All the significance embodied in the asset itself would remain intact. In such a case, unless the asset concerned derives a major proportion of its significance from its setting, then it is very difficult to see how an impact on its setting can advance a long way along the scale towards substantial harm to significance.”¹⁵ (my emphasis)

¹⁴ *Catesby Estates Ltd. v. Steer* [2018] EWCA Civ 1697, para. 25 and 26 – CD 6.1.

¹⁵ APP/H5390/V/21/327713 [2023] – Edith Summerskill House, Clem Attlee Court, London, SW6 7TW, Paragraph 12.5 of main Decision – CD 6.35.

1.18. The Inspector for the 'Edith Summerskill House Decision' also provides the following narrative on substantial harm and the less than substantial harm 'spectrum':

"... substantial harm is set at a high bar, such that a good deal (or all) of the significance of a designated heritage asset would have to be removed for it to be reached. That means that the range for a finding of less than substantial harm is very wide indeed, from a harmful impact that is hardly material, to something just below that high bar."¹⁶

1.19. I do not consider that the subsequent High Court Judgement *London Historic Parks And Gardens Trust v Minister of State for Housing & Anor [2022] EWHC 829 (Admin)* alters the approach set out above. This is based upon my reading of the Judgement. It is also noted that whilst the Edith Summerskill House Decision was issued prior to the handing down of this Judgement, it postdated the hearing at the High Court and the Inspector demonstrates a knowledge of the considerations that had taken place.¹⁷

Assessment of Harm

1.20. Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against and articulate the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

1.21. 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.** The PPG sets out that *"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."*¹⁸ and
- **Less than substantial harm.** Harm of a lesser level than that defined above.

1.22. 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."¹⁹

1.23. 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 lower end, middle of the spectrum and upper end of the less than substantial harm scale.

¹⁶ Ibid, Paragraph 12.4 of main Decision.

¹⁷ Ibid, Paragraph 12.3 of main Decision.

¹⁸ DLUHC, PPG, Paragraph: 018 Reference ID: 18a-018-20190723 – CD 4.2B.

¹⁹ Ibid.



- 1.24. The PPG clarifies that "*substantial harm*" is a high test, and that it may not arise in many cases. It makes it clear that it is the degree of harm to the significance of the asset, rather than the scale of development, which is to be assessed.²⁰
- 1.25. 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'.²¹
- 1.26. Preservation does not mean no change; it specifically means no harm.
- 1.27. GPA 2 which states that "***Change to heritage assets is inevitable but it is only harmful when significance is damaged***".²² 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.
- 1.28. 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.
- 1.29. It should be noted that this key document also states that:
- "Setting is not itself a heritage asset, nor a heritage designation..."***²³
- 1.30. 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'.
- 1.31. 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"***.²⁴ (my emphasis)
- 1.32. 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.²⁵

²⁰ Ibid.

²¹ *R (Forge Field Society) v Sevenoaks District Council* [2014] EWHC 1895 (Admin) – CD 6.7.

²² Historic England, GPA 2, p. 9. – CD 4.21.

²³ Historic England, GPA 3, p. 4. – CD 4.22.

²⁴ Ibid., p. 8.

²⁵ *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061. – CD 6.3.

Benefits

- 1.33. Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage values and hence the significance of the assets concerned.
- 1.34. The NPPF (at §207 and §208) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.
- 1.35. High Court judgements have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of §207 and §208.
- 1.36. The PPG provides further clarity on what is meant by the term 'public benefit', including how these may be derived from enhancement to the historic environment ('heritage benefits'), as follows:

***“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.*”**

Examples of heritage benefits may include:

- ***sustaining or enhancing the significance of a heritage asset and the contribution of its setting***
- ***reducing or removing risks to a heritage asset***
- ***securing the optimum viable use of a heritage asset in support of its long-term conservation.”²⁶***

²⁶ DLUHC, PPG, paragraph 020, reference ID: 18a-020-20190723 – CD 4.2B.

2. Review of Photomontages Against Scheme Revisions.

- 2.1. As detailed within Section 3 of my Evidence, the photomontages for the *Heritage* and *Landscape* Viewpoints submitted as part of the 2022 Environment Statement have not been subject to revision either in relation to the revisions secured under DWG No. P19-2022_10 Rev Q²⁷ or the minor changes proposed under the 'Holborn Amendment'.²⁸
- 2.2. Nevertheless, they remain a valuable source for the understanding of visual change.
- 2.3. Accordingly, I have undertaken a review of the photomontages against the changes secured under DWG No. P19-2022_10 Rev Q and proposed under the 'Holborn Amendment' in order to determine any change that the revision may in the visibility of the proposed development within the relevant views. The results of my review are provided at Table 2.1.

²⁷ CD 1.12.

²⁸ CD 2.2.

Table 2.1: Review of 2022 photomontages against scheme changes.

| Viewpoint Reference | Date of Photography | Scheme Depicted | Submitted Via | Any Material Change to Extent / Nature of Visibility When Taking into Change Made During Determination Under P19-2022_10 Revision Q? | Any Material Change to Extent / Nature of Visibility When Taking into Account Holborn Amendments? |
|--------------------------|---------------------|-------------------------------------|--|--|---|
| Viewpoint 6 Photomontage | 06.03.2020 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 2.5 of the 2022 Environmental Statement – CD 1.33-6. | Minor reduction in the extent of solar panels visible in the foreground of the view due to the exclusion of panels along the eastern edge. | Minor reduction in the extent of solar panels visible in the foreground of the view due to the exclusion of panels along the eastern edge. |
| Viewpoint 5 Photomontage | 06.03.2020 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 2.5 of the 2022 Environmental Statement (Photomontages) – CD 1.33-6. | No material change anticipated. | Minor reduction in the extent of solar panels visible in the foreground of the view due to the exclusion of panels in the southwest corner. |
| Heritage Viewpoint 1 | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | No material change anticipated. |
| Heritage Viewpoint 2 | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | No material change anticipated. |



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| Heritage Viewpoint 3A | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | No material change anticipated. |
| Heritage Viewpoint 3B | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | No material change anticipated. |
| Heritage Viewpoint 3C | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | No material change anticipated. |
| Heritage Viewpoint 4 | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | No material change anticipated. |
| Heritage Viewpoint 5 | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | No material change anticipated. |
| Heritage Viewpoint 6A | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | No material change anticipated. |



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|-----------------------|------------|-------------------------------------|--|---|---|
| Heritage Viewpoint 6B | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | No material change anticipated. |
| Heritage Viewpoint 7A | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | No material change anticipated. Enhanced landscape will further screen, but change already occurring. |
| Heritage Viewpoint 7B | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | Slight reduction in the extent of solar panels visible at Year 1 due to the exclusion of panels along the eastern edge. | Slight reduction in the extent of solar panels visible at Year 1 due to the exclusion of panels along the eastern edge. |
| Heritage Viewpoint 7C | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | Slight reduction in the extent of solar panels visible due to removal of panels in the southwest corner. |
| Heritage Viewpoint 8 | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | Slight reduction in the extent of solar panels visible due to removal of panels in the southwest corner. |
| Heritage Viewpoint 9 | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | Slight reduction in the extent of solar panels visible due to changes along the eastern edge. | Slight reduction in the extent of solar panels visible due to changes along the eastern edge. |



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| Heritage Viewpoint 10 | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | Slight reduction in the extent of solar panels visible due to removal of panels in the southwest corner. |
| Heritage Viewpoint 12 | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | No material change anticipated. |
| Heritage Viewpoint 13A | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | No material change anticipated. |
| Heritage Viewpoint 13B | 29.07.2021 | P19-2022_10 Revision L – CD 1.32-4. | Appendix 13 of Appendix 3.1 of the Environmental Statement (Heritage Statement) – CD 1.33-7. | No material change anticipated. | No material change anticipated. |

3. Designated Heritage assets at Belvoir Castle.

Introduction

- 3.1. This appendix provides background information which has informed the assessment of identified heritage assets at Belvoir Castle, as set out in Section 4 of my Evidence, in particular with regards the 'Statements of Significance' and the understanding of the contribution made by the Appeal Site to significance, and in turn assessments of potential impact.
- 3.2. The information provided is proportionate to the understanding and consideration of the nature of change that would occur as a result of the proposals (i.e., a change in the wider landscape setting).

Belvoir Castle and the Associated Designed Landscape

- 3.3. Belvoir Castle was added to the National List on 14th July 1953, with the List Entry providing the following description of the asset:

"Norman castle, rebuilt C16, demolished 1649, rebuilt 1655–68 on a courtyard plan. Remodelled 1801–30 by James Wyatt supervised by Sir John Thoroton retaining courtyard disposition. A fire in 1816 destroyed north and east wings which were rebuilt by Thoroton, Wyatt having died 1813. Thoroton completed Wyatt's standing wings. Decorations by Benjamin Dean Wyatt and Philip Wyatt and others of Wyatt studio.

Exterior. Ironstone with limestone dressings and slate roofs. Irregular plan with asymmetrical facades in Romantic Mixed Gothic style. 4 corner towers mark extent of medieval and Tudor building and have some surviving masonry.

Entrance front to north [north west] formed of a 3 bay porte cochere extending from main wall by a long covered corridor. Main elevation accommodates King's Rooms terminating to either side with 3–4 storey square towers with angle buttresses and machicolated and crenellated parapets. Windows here as elsewhere mainly upright cross casements.

West [south west] front has in its principal floor the Regent's Gallery extending from the square corner tower to the chapel. Massive circular 3 storey tower on 2 storey basement rises to left to terminate in crenellated parapet: 5 window bays with round heads and deeply splayed basement windows. Chapel has 3 bay loggia between polygonal full height turrets and, above loggia, 3 2-light Perpendicular windows of ecclesiastical character. Rectangular tower with oriel closes facade to south-west, this also crenellated and with a circular bartizan. Simpler south front [south west] with central full height canted bay with 4 bays right and left. Crenellated parapets as usual. Massive square south-east tower (the Staunton Tower) with considerable medieval masonry survival to lower storeys. Rectangular stair turret to left.

East [north east] front dominated by gigantic rectangular tower by Thoroton extending from inner courtyard to project by 3 bays from facade, then to form a canted end. Deeply splayed basement windows, zig-zag Norman decoration to first floor windows, stepped buttresses at intervals. Crenellated parapet bristles with circular crenellated towers and, at the inner north corner (in the courtyard) a large bartizan tower extending higher still. Range to left (next to Staunton Tower) comprises Chinese Rooms, range to right the Grand Dining Room. Inner courtyard of trapezoid shape, tapering to the south. All sides except south are 2 distinct ranges thick.

North end is the Picture Gallery (behind King's Rooms), west side is the Library (behind Regent's Gallery and Chapel), east side is the Grand Corridor or Ballroom (behind Chinese Rooms). Round castle are outer walls with round crenellated towers at intervals. Guarding approach from north-west is the Battery, the base of a triangular masonry fortification of Norman origin.

Interior. Rooms are mostly Gothic, modelled by Thoroton on Lincoln Cathedral. Entrance leads to Guardroom: 2 storeys with flat lierne vault and open 4-centred arches with dog-tooth giving views to Grand Staircase. Double flights of staircase entered through Perpendicular full height doorway. Grand Staircase with wrought iron balusters and infill leads to low tierceron vaulted landing with many 4-centred arches and piers. Similar, but more restrained, staircase rises behind Thoroton's east tower and leads to Grand Corridor: 3 paired arches of C13 type with traceried spandrels based on Lincoln Cathedral. Engaged wall columns support lierne vault. Chinese Rooms lead off the Corridor with much gilt plasterwork in ceiling. The Elizabeth Saloon is in Thoroton's tower. Decoration 1824 by M.C. Wyatt: Louis Quatorze style with ceiling painting of Triumph of Juno by Wyatt. Elaborate gilt coving and carved gilt boiserie to walls. Grand Dining Room to north, by Benjamin and Philip Wyatt: wall arches in Roman mode on marble piers and with gilt boiserie; coffered ceiling. Picture Gallery by Benjamin and Philip Wyatt: heavy coved cornice on scrolled consoles below 3 floating groin vaults, in the arches of which are Diocletian windows. The Regent's Gallery, by James Wyatt, is the old Long Gallery elaborated by the large west bay to his tower. Gilt cornices, fireplace by M. C. Wyatt. Chapel has lierne vault and attenuated Gothick panelling with gabled ogee arches. There are many other subsidiary rooms."

- 3.4. A full copy of the List Entry is provided at Appendix 5 of CD 1.33 – 7.
- 3.5. The RPG, which covers an area of c.900ha, was added to the National List on 5th March 1986, with the current iteration of the List Entry reflecting updates made on 31st January 2020. The List Entry summaries the designated area as follows:

"Extensive landscape park and various gardens, mostly early C19 but incorporating late C17 elements, largely laid out to a plan of 1780 by Capability Brown, and associated with a spectacular, early-C19 hilltop castle. Reservoir to south of parkland, constructed between 1794 and 1797 as a floodwater reservoir for the Grantham Canal."
- 3.6. A copy of the Historic England plan indicating the full extent of the designation in detail is provided at Heritage PoE Appendix 7A.
- 3.7. A full copy of the List Entry is provided at Appendix 6 of CD 1.33 – 7.

- 3.8. As indicated by the above extract from the List Entry for Belvoir Castle, the presence of a 'castle' at Belvoir has Norman origins, with construction of the 'first castle' commencing in 1067. The 'first castle' was constructed for Robert de Todeni, who had been gifted the land and a large estate by William the Conqueror, and was principally a defensive structure. The siting of the 'first castle' thus sought to take advantage of the strategic defensive position which the ridge on which it was situated provided. De Todeni also founded a Priory at the base of the ridge, the motherhouse of which was St Albans Abbey. It is understood that no remains of the Priory survive.
- 3.9. The 'first castle' and its associated landholdings passed to the Ros Family, via marriage, in the 13th century, with the Ros Family undertaking works to further enhance the defensive properties of the structure. During the War of the Roses (1455–1487), the lands of the Lancastrian-supporting Ros Family were fortified, with the estate at Belvoir granted to William, Lord Hastings. This was, however, subject to dispute and the castle fell into a ruinous state.
- 3.10. The Belvoir estate was subsequently restored to the Ros Family by Henry VII and subsequently passed to the Manners family, via marriage. During the early to mid-16th century the castle was subject to rebuilding on a large scale, with the main purpose being to create a more 'noble' structure but one still focused on its defensive purpose. The early to mid-16th century is known as the 'second castle'.
- 3.11. The second castle was used as Royalist garrison during the Civil War (1642– 1651). Following the surrendering of the castle, Oliver Cromwell ordered its demolition, and the second castle was subsequently demolished in 1649.
- 3.12. Construction of the 'third castle' began in 1654 to designs by John Webb, who also designed the accompanying stable block and workers' accommodation at the northeast base of the slope on which Belvoir Castle is located. The focus of this third iteration was to establish a palatial aristocratic residence, with no defensive attributes. Indeed, it is my understanding that the 8th Earl of Rutland (who had reluctantly agreed to the demolition of the second castle) was only granted permission to build the new residence on the condition that it could not be 'defended'.²⁹
- 3.13. The building of the 'third castle' was accompanied by the redesigning of the surrounding area in the style of the period to create gardens and a wider designed landscape fitting of aristocratic residence. This included a large bowling green to the south (a fashionable feature of the time) and terraced walks 'wrapping' around the slopes.
- 3.14. The mid-17th- to early 18th-century works are summarised as follows in the List Entry for the RPG:
- "The rebuilding and laying out of the grounds were completed by 1668. The 9th Earl of Rutland was created Marquis of Granby and Duke of Rutland in 1703, and the surviving stable block and associated outbuildings are believed to date from around 1705. His grandson, the 3rd Duke, made some improvements to the Castle in the early C18, adding the picture room and cellars, and the Wilderness garden***

²⁹ 'The Duchess' podcast by the Duchess of Rutland. Series 4, Episode 2 (06.04.2023) 'Belvoir Special Ep 2: Architecture & History'.

around 1730. Panoramic views of Belvoir Castle by Thomas Badeslade, in *Vitruvius Britannicus*, and by Jan Griffier the Younger, in 1730, 1731 and 1744 respectively, illustrate with detail the contemporary form of the castle, landscaping, and a hunting scene in full cry. Each of these perspective views shows the Spiral Walk on the slopes on the Castle, adorned with seven figurative statues by Caius Gabriel Cibber, which were commissioned by the 1st Duke in 1680 at a cost of £35. Despite these impressive depictions in the second quarter of the C18, the travel writer Arthur Young quipped in 1776: 'The house is now almost entirely unfurnished and the gardens neglected, so that it looks more like the habitation of one in distress than the seat of one of our most opulent nobles.'

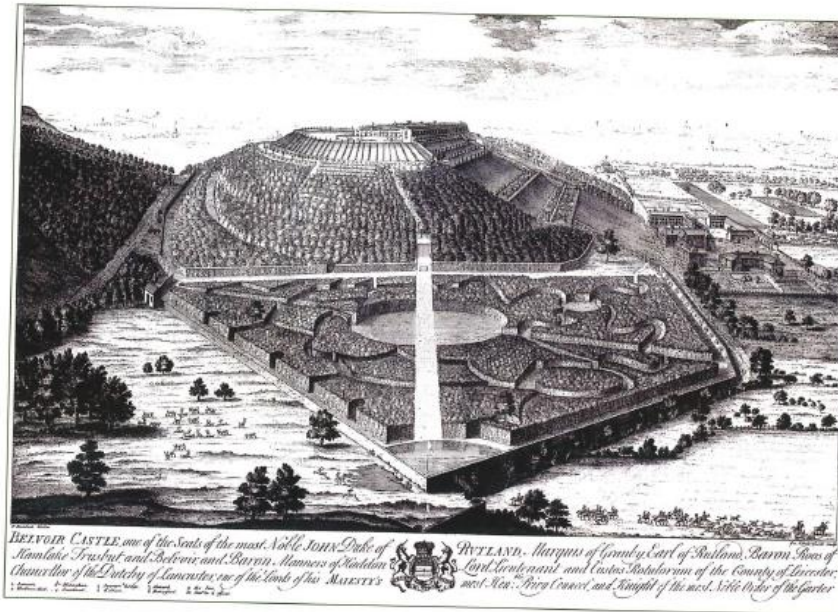


Plate 4.1: Three prospects of the 'third' castle, 1731, from *Vitruvius Britannicus* (Source: *The Duchess of Rutland with Jane Purden, 2015, Capability Brown & Belvoir: Discovering a Lost Landscape, p.62*).



Plate 4.2: View of the third castle by Thomas Badeslade, 1730 (Source: *Belvoir Castle Handbook*).

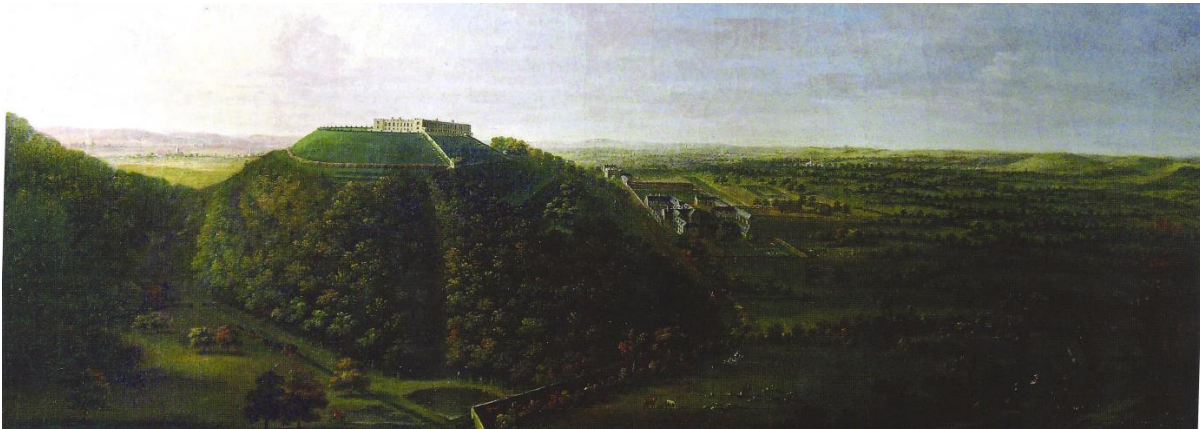


Plate 4.3: View of the third castle by Jan Griffier the Younger, 1744 (Source: *The Duchess of Rutland with Jane Purden*, 2015, *Capability Brown & Belvoir: Discovering a Lost Landscape*, p.29).

- 3.15. Belvoir Castle and its associated designed landscape as extant today is primarily a result of an extensive programme of remodelling and rebuilding undertaken in the 19th century by the 5th Duke and Duchess of Rutland – the 'fourth castle'.
- 3.16. Designs to remodel Webb's 'third castle' and the associated gardens were first contemplated by the 4th Duke of Rutland, and in 1780 the Duke employed Lancelot 'Capability' Brown to prepare plans for a new residence and landscape at Belvoir.
- 3.17. The List Entry for the RPG summarises Brown's plans for the landscape as follows:

"Brown's plan for the Belvoir landscape included the creation of lakes, new woods, tree clumps and belts, an extensive walled garden, and major earth works, such as removing the bowling green from Castle Hill and using the earth to build an embankment linking it to Blackberry Hill. He also proposed major architectural alterations to Belvoir Castle and its various offices including Gothic castellation of the castle, the addition of an entire new attic storey and a service tunnel, new woodland ridings, and new approach roads with lodges, including one from Harston to cross his proposed lakes from the south-east, and Croxton Avenue to skirt around the south-west of the parkland from Knipton. Rather than moving the nearby village of Woolsthorpe to improve the view, he incorporated it into his plan, partly screened by trees. Brown proposed a ha-ha or retaining wall below the north-east terrace and new pleasure gardens but wished to retain the existing formal gardens, the canal and the Wilderness which he planned to turn into a collection of parkland clumps. He also planned to create a 'chase' – open land for hunting – and to reinstate Belvoir's free warren, for hunting with hawks, to reflect Belvoir's medieval past."

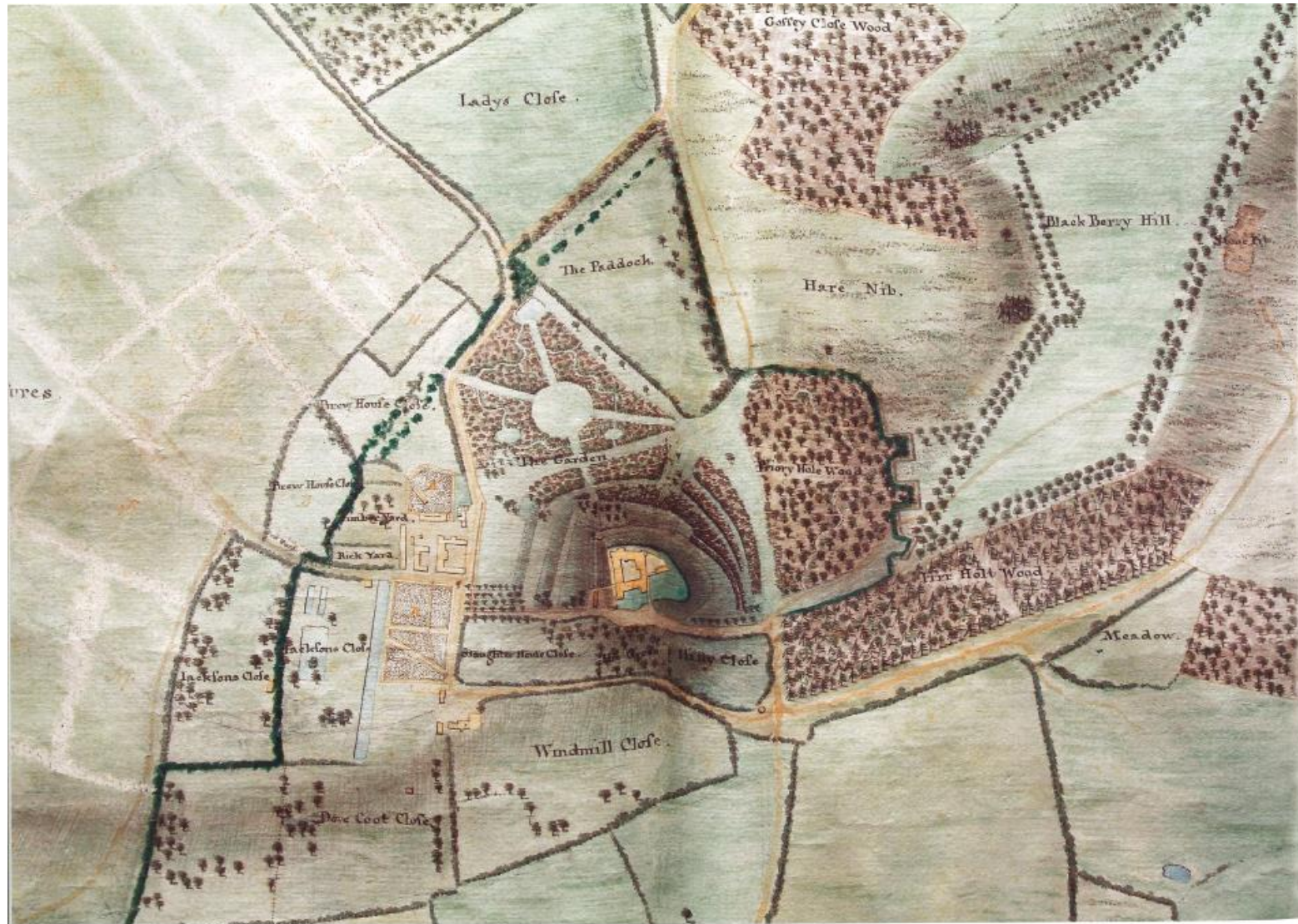


Plate 4.4: Jonathan Spyers' survey of Belvoir, 1779. It is this survey that was utilised by Brown for his redesign. (Source: *The Duchess of Rutland with Jane Purden, 2015, Capability Brown & Belvoir: Discovering a Lost Landscape, p.14*).



Plate 4.5: Brown's proposed plan for Belvoir, 1780. Brown prepared two sets of plans – one large scroll of which this is a copy of and a smaller plan included within the book of proposals which was easier to take outside, as included at Plate 4.6. (Source: *The Duchess of Rutland with Jane Purden, 2015, Capability Brown & Belvoir: Discovering a Lost Landscape, contents page*).



Plate 4.6: Brown's 'portable' proposed plan for Belvoir, 1780. (Source: *The Duchess of Rutland with Jane Purden*, 2015, *Capability Brown & Belvoir: Discovering a Lost Landscape*, p 16).

- 3.18. The 4th Duke had, however, inherited vast debts and whilst some of the landscaping designed by Brown were instigated in the late 18th century – as indicated by the summary provided by the RPG list entry quoted below – it was not until the 5th Duke came of age in 1799 (his father having died in 1787) that the remodelling of the residence and landscape was undertaken on any great scale.

"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'. Acorns were scattered on Woolsthorpe Hill between 1785 and 1787, and plantations at Croxton Bank and Cedar Hill were planted in 1789. Whilst these latter plantations are beyond the registered area, they are visible in the wider landscape, indicating the proximity of a country seat. By the turn of the C19, most of the perimeter belts of trees and some woodland had been planted. The 4th Duke died in 1787, and since the Duke's eldest son and heir was only nine, the 4th Duchess and her brother, the Duke of Beaufort, took over the estate as joint trustees. Working with Brown's plan, the Duke of Beaufort ordered an avenue from the old church in Woolsthorpe to be planted in 1792."

- 3.19. In the same year that he took ownership of the Belvoir Estate, the 5th Duke married Lady Elizabeth Howard who became the 5th Duchess. Elizabeth had grown up at Castle Howard in Yorkshire, and on her arrival at Belvoir was not impressed with the residence before her.
- 3.20. Elizabeth was the driving force behind the fourth 'castle' and its associated landscape, and commissioned James Wyatt to extensively remodel the third 'castle'. It is understood that Elizabeth was extremely hands on in the design of the new residence, and much of the influence and inspiration for the interior came from the European travels of the Duke and Duchess. It is the opulent interiors of the residence which are most commonly discussed in 19th-century descriptions of Belvoir (see further below). Following Wyatt's death in 1813, Elizabeth was supported in the design and construction works by his three sons and Reverend John Thoroton, the rector of the Church of St Mary, who was acquainted with the 5th Duke and Duchess.
- 3.21. A fire in 1816 saw the destruction of much of the rebuilt north-east and north-west elevations, the grand staircase and the picture gallery. Reconstruction works, however, commenced almost immediately with works led by Thororton.
- 3.22. It is the works undertaken to the 'castle' in the 19th century, pre and post fire, which now characterise the structure experienced today.
- 3.23. The northern and southern aspect of the fourth 'castle' are different in their appearance and form. The north-east and north-west, designed by Thoroton following the fire, are more utilitarian in their character than the south-east and south-west elevations which face towards the gardens and parkland. The north-east and north-west incorporate architectural detailing which can be characterised as 'medieval castle revival' in style, in particular with regard to the towers and 'battlements'. However, such elements are solely decorative with no defensive role.
- 3.24. Conversely, the southern elevations (designed by Wyatt) feature more of an aesthetic influence, facing out onto designed gardens and the wider landscape parkland.



Plate 4.7: Southwest front of Belvoir Castle.



Plate 7.8: Northeast front of Belvoir Castle.

- 3.25. Whilst topographic context and outward views of the Vale of Belvoir may once have formed an important part of the defensive role of the earlier iterations of Belvoir Castle, these were not of equivalent relevance in the context of the overall design of the later domestic residences, with greater emphasis placed upon the interior design and the relationship with the domestic grounds and parkland which lie primarily to the south and southeast. Again, this is reflected in 19th-century accounts of the fourth 'castle', as discussed further below.
- 3.26. Where views of the Vale of Belvoir are obtainable (see further below), in the majority of cases the view is a wide- and far-reaching landscape view, and in the case of views from the roof, a panoramic one. There are no designed eye catchers in the landscape to the north associated with the design of Belvoir Castle. The composition of the outward views is discussed in detail in Section 4 of my Evidence.
- 3.27. Whilst the 5th Duke and Duchess did not utilise the Brown's plans for the redesign of the 'castle', they did continue to implement Brown's design for the wider landscape. This is a trend that has continued at Belvoir throughout the 20th and 21st centuries, and whilst changes to the pleasure grounds have been made in reflection to the changing tastes, the general arrangement of the gardens, pleasure grounds and landscape remains as designed by Brown with his intended parkland planting continuing to be introduced by the current Duke and Duchess. Accordingly, whilst a designed landscape which has been developed in phases, the designed landscape is not of a multi-period design per se. For example, although not fully implemented in the late 18th century, Brown's designs for the parkland were not revised in the 19th century in response to the later popular Reptonian or Picturesque styles. The pleasure grounds and gardens, whilst subject to change, have also remain in the same overall location.
- 3.28. Just as there is a differentiation between the architectural style of the northern and southern aspects of Belvoir Castle, the same is also the case with the designed, pleasure ground and parkland, and in particular the manner to which Belvoir Castle interacts with such spaces.
- 3.29. As indicated by the List Entry for the RPG and onsite assessment, the focus of the designed gardens, pleasure grounds and parkland at Belvoir is located to the south, east and west of Belvoir Castle. Areas to the north of Belvoir Castle are primarily characterised by the terracing of the northern slopes and areas ancillary to the operation of the Estate.
- 3.30. The northern eastern part of the slope, as can be observed from the northeast elevation of Belvoir Castle and the 'north terrace', is defined by a flight of three broad terraces (the middle one including a swimming pool and a hard tennis court) extending down to what remains of Webb's stable complex and accommodation buildings. The latter is a collection of buildings constructed as estate housing for those working on the estate.
- 3.31. Whilst Brown's sought to 'soften' the appearance of the northern slopes through planting, he appears to have suggested little change to the earlier terraces and retained the Spiral Walk. The only notable changes on the northeastern side of the slope were the introduction of the planting, a ha-ha (constructed in 1825 on a tighter embrace to the Castle than that shown on Brown's plan) and the construction of the 'Dooms', a network of subterranean passages providing concealed access to the Castle for workers and deliveries.

- 3.32. Dense planting was proposed and introduced along the northwestern side of the slope, the planting of which had begun by the 1780s (see above) and which curtails views in this direction (and due north) and screens views towards The Engine Yard (constructed in the early 19th century) and brick kilns recorded on Brown's plans of 1779, and the later tramway (see below). Accordingly, there would have been a desire to screen views of these 'industrial areas' of the Estate from Belvoir Castle and its immediate surrounds (i.e., gardens and pleasure grounds).
- 3.33. It of interest that Brown did not seek to remove or screen the stable block and estate buildings, or views of the village of Woolsthorpe, from Belvoir Castle and its immediate surrounds. This in contrast to many of his other designed landscapes where buildings and whole villages were removed in order to create 'naturalistic' and aesthetic composition of views from principal dwellings. This perhaps indicates the acceptance that areas to the north were largely functional, with focus to placed to the south.
- 3.34. A review of Brown's plan against later Ordnance Survey mapping and modern aerial photographs indicates that the far southern part of the Appeal Site falls within a periphery area included on Brown's plan on 1780 (Plate 4.9). In this context, it is important to take into account the following:
- The 'borrowing' of the wider landscape is not a characteristic of Brownian landscapes, and there is no evidence that the parkland was redesigned in the later Reptonian or Picturesque style which often sought to incorporate 'borrowed landscapes'.
 - There is a clear distinction between Brown's intentions for the immediate surrounds to the north of Belvoir Castle and the wider landscape beyond, with this indicated by the tree belts which were proposed to separate the two areas (Plate 4.7). Indeed, Brown's plan for Belvoir as a whole details the land immediately adjacent to the tree belts which were intended to enclose the designed parkland and gardens, with these areas (including that which included the Appeal Site) beyond potentially included on the plans to add 'context'.
 - There is also a distinction between the manner to which the 'enclosures' and areas of pasture immediately beyond the tree belt are depicted on the Brown's plan and the area which extended into the far southern part of the Appeal Site. The latter is annotated as 'Muston Gorse' with a group of brick kilns shown in the northwestern area, and the field is shaded as browner in colour than the adjacent agricultural fields and areas of pasture (Plate 4.8).
- 3.35. Accordingly, whilst the far southern part of the Appeal Site is detailed on Brown's plan, the area did not form part of the designed grounds or parkland planned by Brown and simply formed part of the surrounding agricultural and industrial land to which Brown sought to create a physical and visual separation.
- 3.36. The completion of the Grantham Canal in the 1787 (less than 20 years after Brown drew up his plans) severed the far southern part of the Appeal Site from the remainder of 'Muston Gorse', and the area became amalgamated into the wider agricultural pattern to the north.
- 3.37. A wharf was established on the western edge of the area and a tramway introduced through 'Muston Gorse' (which by this date had been subdivided into several fields) connecting the canal to the secondary approach to Belvoir Castle. It is understood

that this tramway is likely to have been that constructed to carry building materials and heavy goods (such as coal) from the canal to Belvoir Castle. Thus, although the brick kilns had been removed by the late 19th century, this area continued to operate as an ancillary, and in part industrial, part of the wider landholdings of Belvoir Castle.

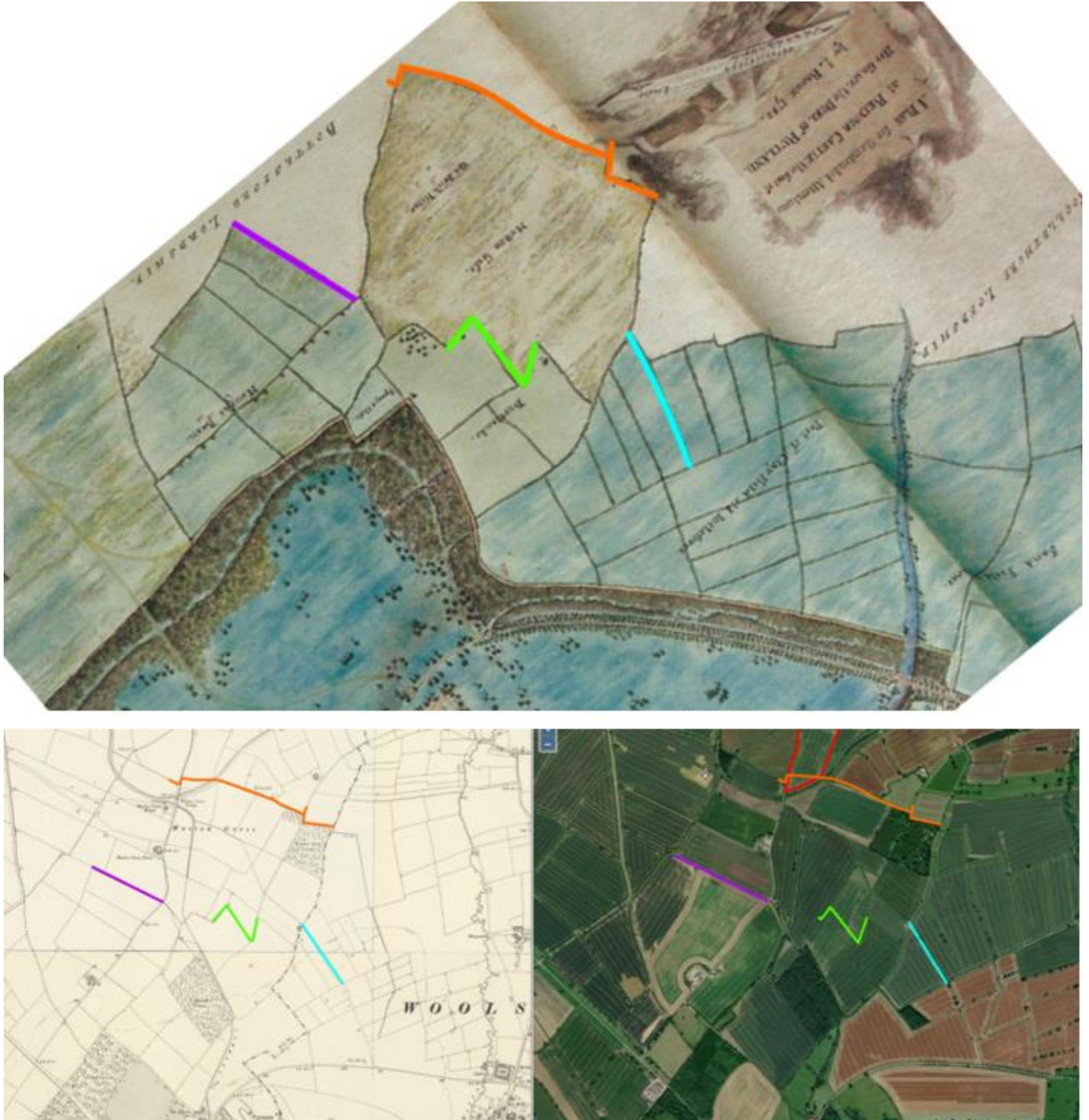


Plate 4.9: Extract from Brown's plan for Belvoir (top), the Ordnance Survey Map of 1888-1915 (bottom left) and a modern aerial photograph (bottom right) with common landscape features colour coded. The aerial photograph also includes the redline for the Appeal Site indicated the extent which included on Brown's plan and subsequently severed from the land to the south by the canal.

- 3.38. As discussed above, beyond introducing designed planting which controls and curtails outward views, Brown appears to have paid little attention to the design of the gardens and wider landscape to the north of Belvoir Castle, nor the composition and experience of outward views. This arrangement is in distinct contrast to the southern aspects of Belvoir Castle, which have greater spatial and visual connections with the gardens, pleasure grounds and parkland beyond.
- 3.39. The design and experience of both the fourth iteration of Belvoir Castle and the continued implementation of Brown's landscape design is discussed in various 19th-century sources, in particular those associated with the growing tourism industry. The focus of these descriptions is, however, very much on the interior of Belvoir Castle (including the circulation through the Castle and the interior design) and the gardens to the south.
- 3.40. One such source is W.F. Gibson's *Handbook to Belvoir Castle*, a tourist guide published in 1857. The Handbook describes in detail the interior of the Castle, and where appropriate describes outward views from the Castle and the gardens.
- 3.41. As set out in Section 4 of my Evidence, views directly north in the direction of the Appeal Site from the interior of Belvoir are limited; however, views in said direction have been identified from a number of rooms on the northeast elevation. Having reviewed Gibson's description of the rooms, there is no mention of outward views from these spaces. This is despite Gibson considering the Elizabeth Saloon to be the "most magnificent apartment in the Castle" and one which includes a large apse window providing views in three directions.³⁰
- 3.42. Gibson's also does not make reference to access to, or views from, the balcony on the apse of the Elizabethan Saloon. As set out in Section 4 of my evidence, there are no doors providing access (one must climb through a window) and there is limited design to its overall appearance.
- 3.43. It is recognised that there is a painting of the 5th Duchess in which the Duchess is shown in the Chinese Bedroom with people on the balcony visible outside of the window (Plate 4.10). When considering this image, artist licence is a factor and this was raised by Rev. Miller in his 1847 book *The History of Belvoir Castle, from the Normal Conquest to the Nineteenth Century*– "though the artist, has certainly, in this background, (with licence allowable, I suppose, in his art,) given a larger and more vivid representation of the exterior of the Elizabeth Saloon, than can be observed from any point in this room [the Chinese Bedroom]".³¹

³⁰ Gibson, W.F. 1857. *Handbook to Belvoir Castle*. Simpkin, Marshall, and Co. Nottingham

³¹ Rev. Miller, I. 1841. *The History of Belvoir Castle, from the Normal Conquest to the Nineteenth Century*. R Tyas. London



Plate 4.10: Portrait of the 5th Duchess as seen in front of a window in the Chinese Bedroom (Source: *Duchess of Rutland*, 2009, *Belvoir Castle: 1000 years of Family, Art and Architecture*, p. 11).

3.44. Rev. Miller equally does not make reference to outward views from the rooms which I have identified northernly views as obtainable from – namely, the Elizabeth Saloon and rooms above in Thoroton's Tower; the State Dining Room; and the Chinese Bedrooms.

3.45. Both Gibson and Miller do, however, make reference to outward views from other rooms in the house, namely 'The Duchess's Boudoir' located in the south corner of the Castle and the 'Green or Assembly Room' (later known as the Wellington Room) located in the east corner:

The Duchess's Boudoir

"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 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."³²

"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."³³

'Green or Assembly Room'

"A bay, from which there is a magnificent prospect, extending over the lake and the village of Woolsthorpe, to Harlaxton, and the splendid mansion in the course of erection by Mr Grefory, in one direction, across the vale and the adjoining country to Lincoln, in another, increasing the breadth of the room 7 ½ feet."³⁴

3.46. The bay window referred to by Miller in the 'Green or Assembly Room' faces southwest. The view described across the vale would have been obtainable from two windows on the opposite side of the room facing northeast. The two windows facing northeast are, however, no longer extant having been infilled at some point during the

³² Gibson, W.F. 1857. Handbook to Belvoir Castle. Simpkin, Marshall, and Co. Nottingham

³³ Rev. Miller, I. 1841. The History of Belvoir Castle, from the Normal Conquest to the Nineteenth Century. R Tyas. London

³⁴ Ibid.

19th or 20th century. The infilling of the windows may indicate a lack of desire to retain views in this direction.

- 3.47. Equally an 1876 account of Belvoir Castle in 'The Art Journal' makes no reference to outward views from The Elizabeth Saloon, The Grand Dining Room or the Chinese Rooms made but the sets out the following in regard to the Green Assembly Room (referred by the author to as 'The Queen's Sitting Room or Green Assembling-Room') and the Duchess's Boudour:

"The Queen's Sitting Room or Green Assembling-Room, in the Staunton Tower, besides being an elegant apartment, commands a magnificent view of the charming grounds and the distinct country, including Croxton with the Duke's Deer Park, Woolsthorpe, Harlaxton, the Kennel, and the Lake."³⁵

"The Duchess's Boudour is a beautiful room, commanding an almost enchanting view of the grounds and distant country..."³⁶

- 3.48. Whilst certain locations in the surrounds of Belvoir Castle are referred to in the description of outward views above, I have not identified any reference to views of the Church St Mary, Bottesford, located nearly due north of Belvoir Castle, within the above 19th-century sources.

- 3.49. Where outward views are described, they are not always so positive. In describing the view from the King's Rooms on the northwest front Rev. Miller provided the following description of the view in 1841:

"The prospect from these rooms is by far the least pleasing of any that may be observed from the Castle. 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."³⁷

- 3.50. As discussed in Section 4 of my evidence, it is my understanding³⁸ that these rooms were converted for use by the Prince Regent not due to the view which the space would afford, but because this was one of the few areas where three connecting rooms of a suitable size (as required by the Prince Regent) could be accommodated. Accordingly, it is my understanding that the siting of The King's Rooms was most likely one of logistics and not driven by the views afforded from this space.

- 3.51. Furthermore, as discussed above, there was a desire for views to the northwest and north of Belvoir Castle, i.e., in the direction of ancillary and industrial areas associated with the Estate, to be screened.

³⁵ S.C Hall and Llewellyn Jewitt, The Stately Homes of England (Occasionally Open to the Public.) Belvoir. – The Art Journal (1875-1887) New Series, Vol 2 (1876) p. 65-67.

³⁶ Ibid.

³⁷ Rev. Miller, I. 1841. The History of Belvoir Castle, from the Normal Conquest to the Nineteenth Century. R Tyas. London

³⁸ Based upon information gathered during my visit to Belvoir Castle in July 2024.

3.52. 19th-century descriptions of the surrounds of Belvoir Castle are equally principally focussed on the gardens and pleasure grounds to the south and east. Paintings of the Castle from this period, and indeed those of earlier iterations of Belvoir Castle (see above) are primarily associated with views from the south and east. The same is also the case of later photographs and postcards of Belvoir Castle.



Plate 4.11: View of the fourth castle, from the south, by Thomas Wright, 1814. (Source: *Duchess of Rutland, 2009, Belvoir Castle: 1000 years of Family, Art and Architecture, p. 55*).



Plate 4.12: View of the fourth castle from the Hermitage to the south by Col. Frederick Trench, 1819. (Source: *The Duchess of Rutland with Jane Purden, 2015, Capability Brown & Belvoir: Discovering a Lost Landscape, p 125*).



Plate 4.12: View of Belvoir Castle from the southeast by J M W Turner, 1816 (Source: Duchess of Rutland, 2009, *Belvoir Castle: 1000 years of Family, Art and Architecture*, p. 13).



Plate 4.13: The 5th Duchess of Rutland as seen from a located south east of Belvoir Castle from beyond the lake, 1824 (Source: *The Duchess of Rutland with Jane Purden*, 2015, *Capability Brown & Belvoir: Discovering a Lost Landscape*, p 144).

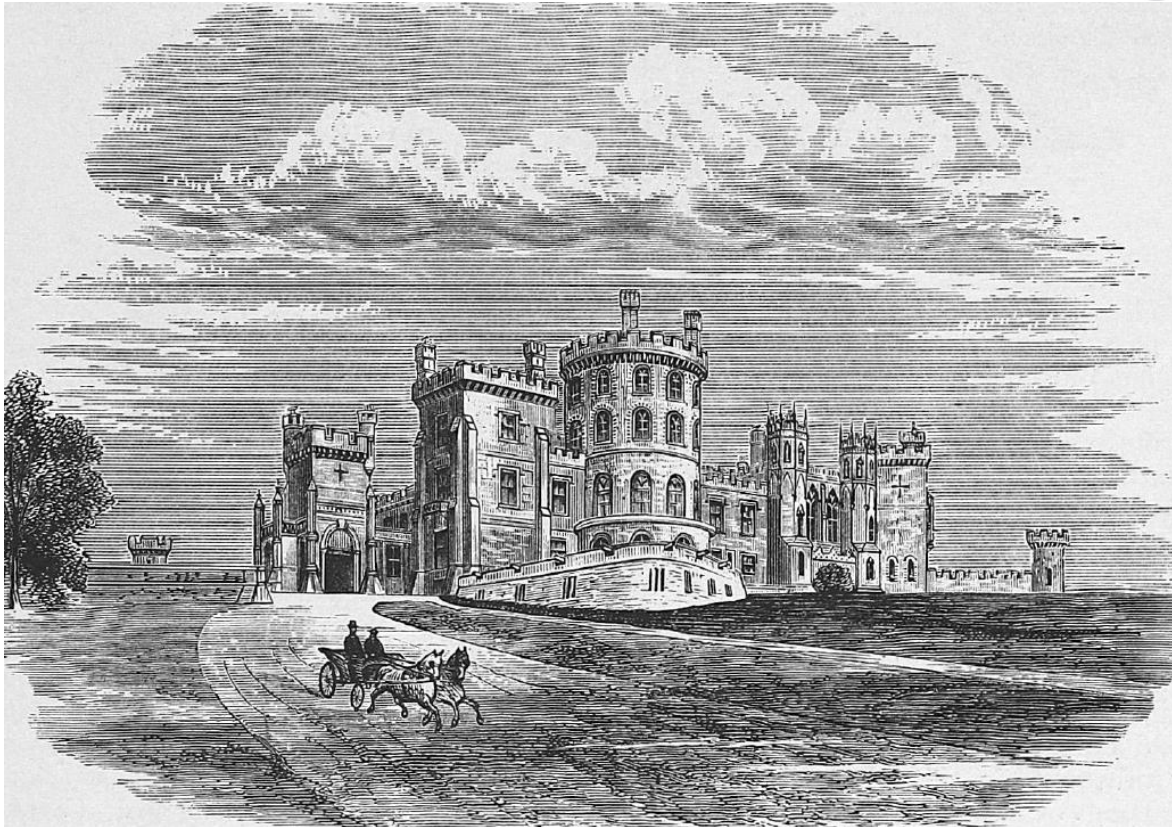


Plate 4.14: 1870s etching of Belvoir Castle as seen from the final section of the designed approach (Source: S.C Hall and Llewellyn Jewitt, *The Stately Homes of England (Occasionally Open to the Public.) Belvoir.* – *The Art Journal* (1875–1887) *New Series*, Vol 2 (1876) p. 37–40).



Plate 4.15: Undated postcard, presumably early 20th century based upon the dress of those in the image, of Belvoir Castle at the end of the designed approach (Source: <https://thegardenstrust.blog/2023/09/23/belvoir-part-2-a-treat-few-places-in-england-can-supply/>).

3.53. Common publications on Belvoir Castle do not include paintings of the Castle from the wider landscape to the north. Whilst I have identified a number of paintings of Belvoir Castle depicting views from the north as part of my research, these images are captured from within the immediate surrounds of the Castle, not the wider landscape.

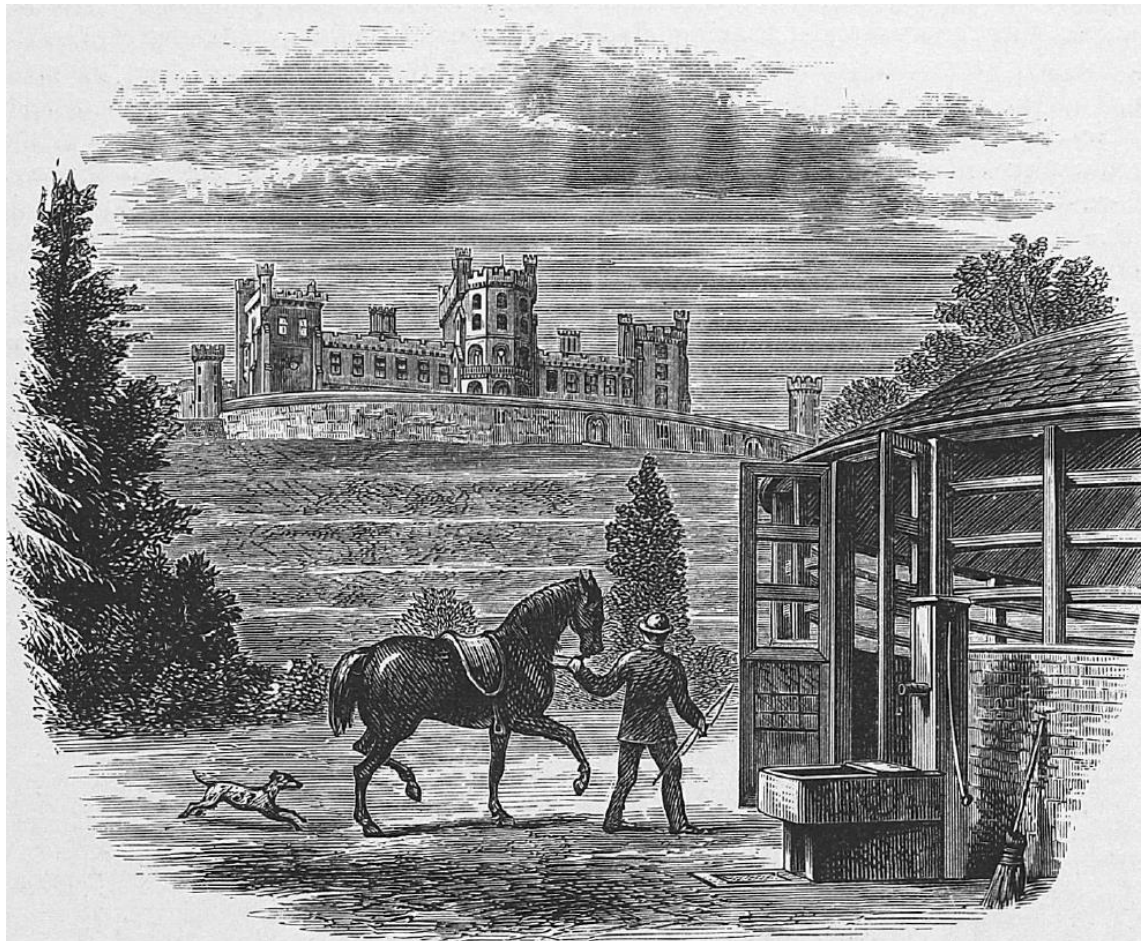


Plate 4.16: 1870s etching of Belvoir Castle as seen from the stables to the northeast. The 'dooms' at the base of Belvoir Castle, i.e., secondary areas, are clearly visible. (Source: S.C Hall and Llewellyn Jewitt, *The Stately Homes of England (Occasionally Open to the Public.) Belvoir.* – *The Art Journal (1875-1887) New Series, Vol 2 (1876) p. 37-40).*



Plate 4.17: View of Belvoir Castle from the immediate grounds to northeast by Joesph Rhodes, 1827. The 'dooms' at the base of Belvoir Castle, i.e., secondary areas, are clearly visible. (Source: <https://www.watercolourworld.org>).



Plate 4.18: View of Belvoir Castle from the north with the tramway and ancillary buildings clearly located in the foreground, by Joesph Rhodes, 1827. (Source: <https://www.watercolourworld.org>).

- 3.54. Belvoir Castle today is approached from several directions; however, not all have the same level of interest with the regards to the designed landscape and the manner to which Belvoir Castle was intended to be viewed.
- 3.55. The principal, formal approach to Belvoir Castle is from the lodge on Cliff Road / Belvoir Road c.2.5km east of Belvoir Castle (preceded by a c.2km tree lined road), with the route extending around the village of Woolsthorpe, over the serpentine lake and up through the park and garden to the portico on the northwest elevation. This route is shown in part on Brown's plan, with parkland features such as the serpentine lake part of his design.

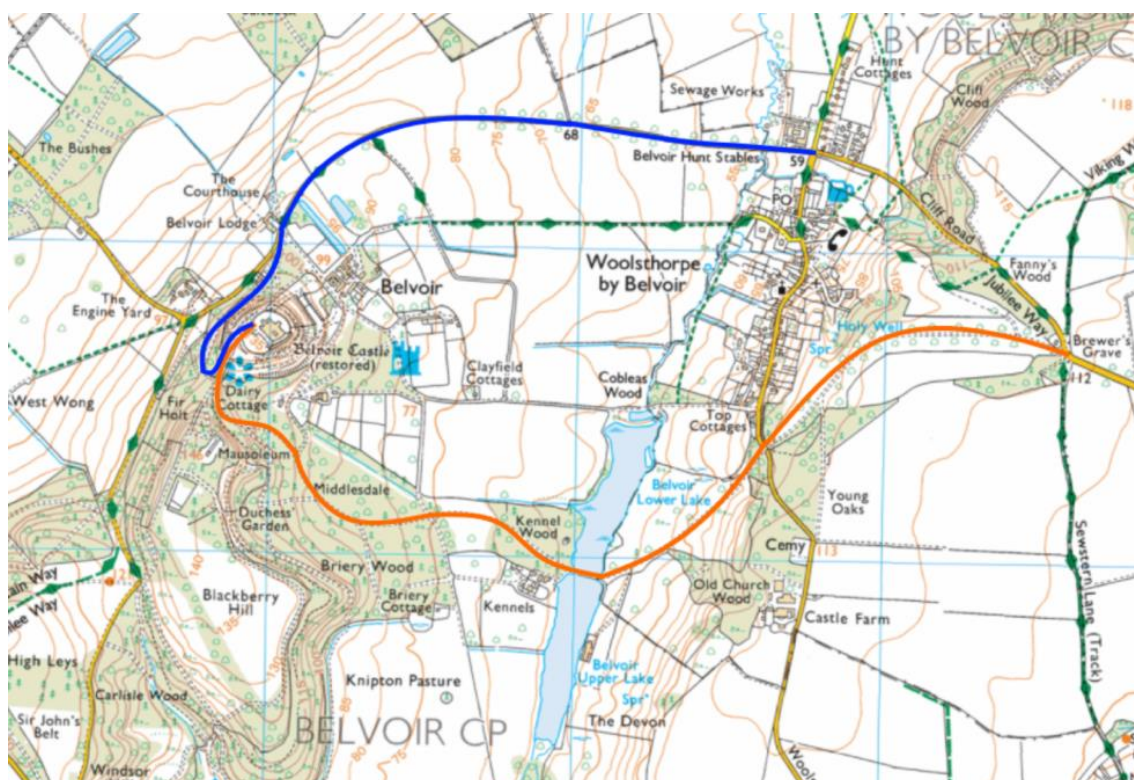


Plate 4.19: Map detailing the route of the principal approach (orange) and the secondary approach (blue).

- 3.56. I have accessed much of this principal route as it extends through the parkland to the south and east of Belvoir Castle. Outward views from the route are carefully controlled (as is typically of a Brownian landscape) offering views primarily of the designed landscape, and where views of Belvoir Castle become available the structure is seen set within this Brownian landscape. Due to topography and design intent of the approach, outward views of the Vale to the north are not readily available or a focus of the views. From the areas that I was able to assess during my site visit I only identified one location of from where such views were afforded, with this being the view from the principal designed approach as it extends southwest/northeast to the east of Woolsthorpe (see Plate 32 in Section 4 of my Evidence). This location is c.1.8km east of Belvoir Castle and c.3km southeast from the Appeal Site at its closet point. A review of archival sources indicates that a break in vegetation in this location likely formed part of the design intent of the treelined approach (Plate 4.20); however, it is clear that the focus of the view is on Belvoir Castle within its parkland setting in the foreground (see Plate 32 in Section 4 of my Evidence).

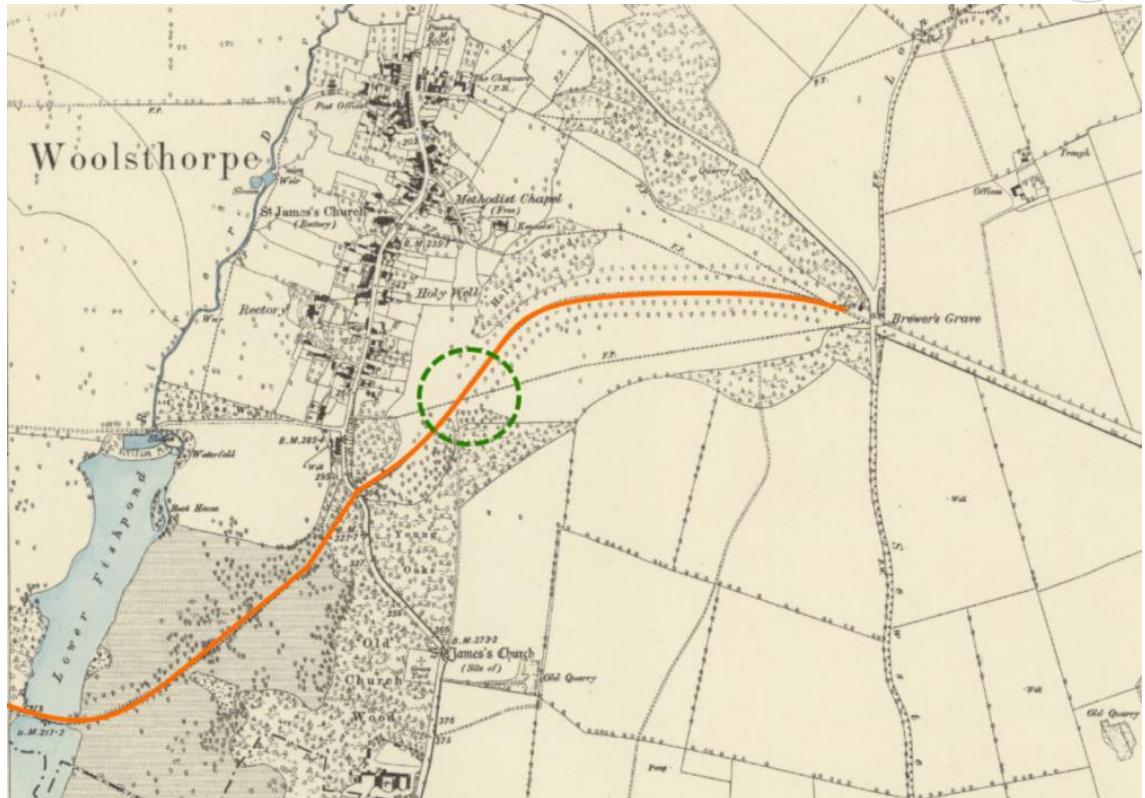


Plate 4.20: Extract from the Ordnance Survey Map of 1887 detailing the route of the principal approach (orange) and the break in trees identified c. 1.8km east of Belvoir Castle (green).

- 3.57. Brown's plan shows a secondary route extending along what is now known as Jubilee Drive and 'up' the northwestern side of the slope on which Belvoir Castle is situated to the Portico on the west elevation. It is a version of the approach 'up' the northwestern side that is most commonly used today in accessing the Castle.
- 3.58. Browns plan shows the secondary route (known as the Woolsthorpe Avenue or 'Jubilee Drive') as tightly treelined, perhaps with an indication that views form the route, and more importantly views towards the route from Belvoir Castle, were designed to be screened. I.e., this was a route to be used for general travel to / from Woolsthorpe (the route had public access) and also provided connections to to the industrial areas to the northwest of the Castle.
- 3.59. The avenue was not implemented until the Silver Jubilee of Queen Elizabeth II in 1977, hence the 'modern' name.
- 3.60. As indicated by the Gibson's *Handbook* above, Belvoir Castle has been a public tourist destination since at least the mid-19th century, with the growth in 19th-century tourism intrinsically linked with the growth of the railways. The first railway station at Bottesford (annotated on 19th-century Ordnance Survey Maps as 'East Station') opened in 1850 on the northern edge of the settlement. This station remains operational today. A second station ('West Station') situated on the western side of the settlement was operation between 1879 and 1882. The opening of the two stations increased the opportunity for visiting Belvoir Castle, with tourists arriving by train to Bottesford and then travelling to Belvoir Castle by carriage.

- 3.61. Gibson's *Handbook* describes the journey by from Nottingham to Belvoir Castle, with the route from Bottesford to the Castle described as follows:

“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...

...To the right are left behind us the villages of Barkson and Redmile. 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 canopying 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 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.”³⁹ (my emphasis)

- 3.62. A review of the description above alongside historic cartographic sources indicates that the visitor’s approach to Belvoir Castle was most likely via Belvoir Road from Bottesford over Toston Hill; 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 secondary entrance to Belvoir Castle, as discussed above, is sited (see Plate 4.21). The lack of reference to travelling through the hamlet of Easthorpe (now part of the southern extent of Bottesford) and the reference to travelling through Bottesford indicates that the approach was not along Castle View Road (i.e., that which partially runs along the western boundary of the Site).
- 3.63. Of course, Castle View Road may still have been used by some visitors as they travelled southwards from Bottesford. Nevertheless, this is not a designed approach to Belvoir Castle, with the name deriving from the incidental views available from this route through the wider landscape beyond the designed landscape and immediate surrounds of Belvoir Castle.

³⁹ Gibson, W.F. 1857. *Handbook to Belvoir Castle*. Simpkin, Marshall, and Co. Nottingham

3.64. The above demonstrates that 19th-century visitors were not being brought to Belvoir Castle via the designed approach from the east and south, with the Handbook describing this as "by far the best and most picturesque approach."⁴⁰

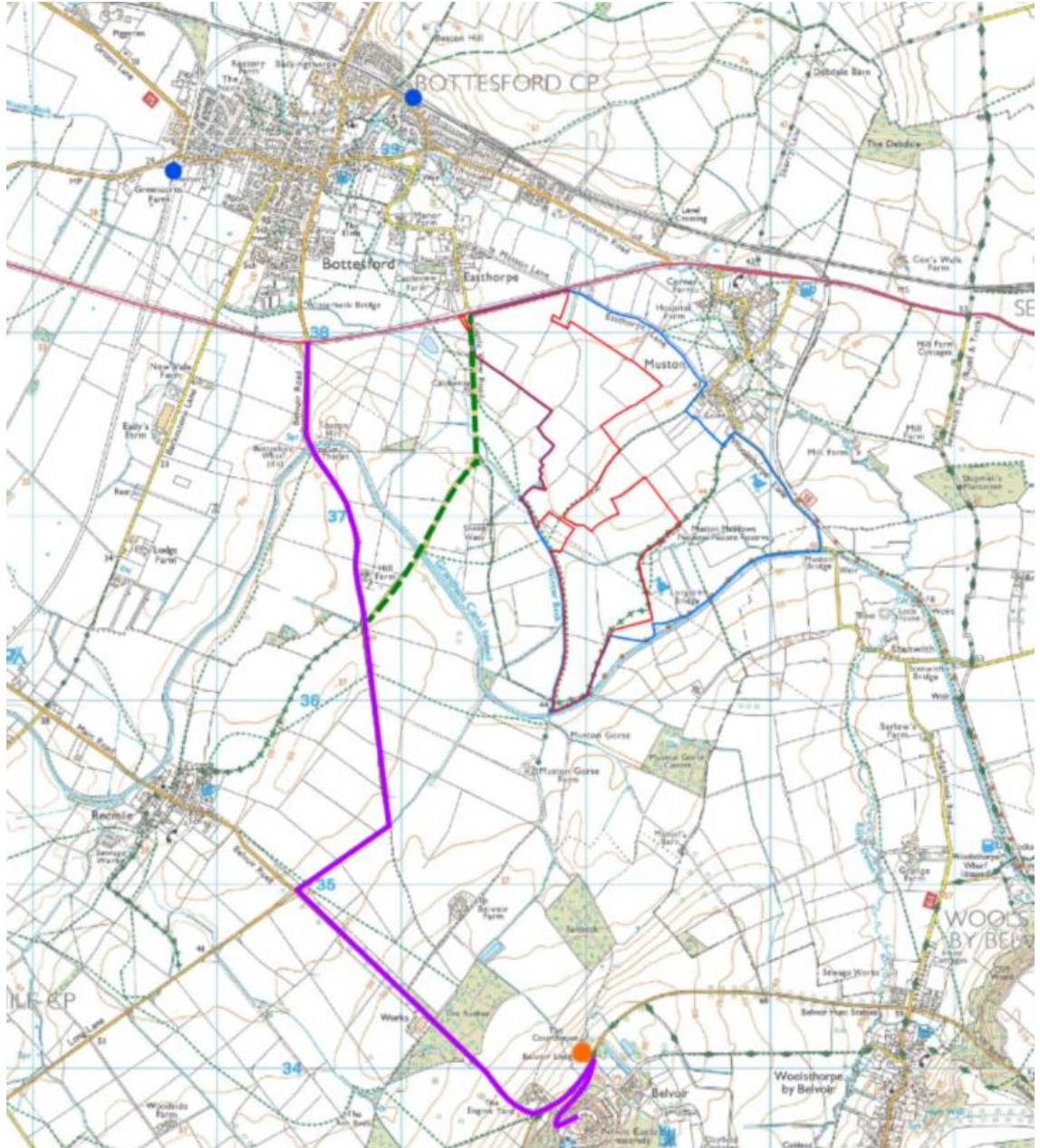


Plate 4.21: Annotated plan detailing the presumed route taken by visitors from Bottesford to Belvoir (purple) as described within the Handbook, with Castle View Road highlighted in green for reference. The location of the two 19th century stations at Bottesford are indicated by the blue dots and the location of the Peacock Inn referred to in the Handbook is indicated by the orange dot.

⁴⁰ Ibid.

Belvoir Castle Conservation Area

- 3.65. The Belvoir Castle Conservation Area was designated by MBC in 1994 and covers 173.10ha of the Belvoir Castle complex, focused upon Belvoir Castle and its immediate surrounds to the south. A plan of the Conservation Area boundary is provided at Plate 4.22.
- 3.66. An undated Conservation Area Appraisal (3 pages in length) is available on the MBC website, a copy of which is provided at CD 5.9.



Plate 4.22: Aerial photograph detailing the extent of the Belvoir Castle Conservation Area (blue) as taken from the MyMelton online map.

- 3.67. The Conservation Area Appraisal describes the 'Special Character and Quality' of the Conservation Area as follows:

"Belvoir Castle, its associated outbuildings and the extensive grounds within which they are situated naturally all inter-relate with each other to provide a unique setting and contribute to the character and nature of the Conservation Area."⁴¹

⁴¹ CD 5.9.

3.68. The Conservation Area Appraisal continues by setting out that the designation is 'predominantly rural in nature' and that 'contributory elements can best be described' via the subdivision of the designation into nine sub-areas, as follows:⁴²

- The Castle.
- The Stable Block and Associated Housing.
- Belvoir Hunt Kennels.
- Garden House and Walled Gardens.
- The Engine Yard.
- Power House Cottages.
- Belvoir Lodge and the Old Courthouse.
- The Dairy House.
- Ice House and Mausoleum.

3.69. The Conservation Area Appraisal does not include a plan detailing the extent of the above subareas and thus their location and sized is presumed based upon the description of the principal building to which they relate.

3.70. Of the above, onsite assessment has determined that only the experience and appreciation of The Castle subarea has the potential to be sensitive to the proposed development.

3.71. The Conservation Area Appraisal provides the following description of The Castle subarea:

"The modern day Belvoir Castle is built of ironstone with limestone dressings and slate roofs. The original building was built as a Norman castle in approximately 1070 by Robert de Todeni (who was William the Conqueror's standard bearer at the Battle of Hastings) and almost certainly had a large central square stone- built keep, with a surrounding stone wall. This castle lasted for almost four hundred years. In 1464 the castle was demolished during the Wars of the Roses and lay in ruin for sixty years.

The work to build a second castle commenced in the reign of Henry VIII by the Manners family. This was a heavily fortified medieval building and stood for about one hundred and twenty years until the upheaval of the Civil War between Charles I and Parliament. Once the Civil War was over the Earl of Rutland began the re- building, creating a very fine mansion in the classical style on the castle site – an enormous house with four wings around a central rectangular courtyard. This third castle survived for about one hundred and forty years.

In 1799 the fifth Duke of Rutland, then aged 21, married 20 year old Elizabeth Howard from Castle Howard in Yorkshire and she preferred to have a more traditional castle with towers, turrets and battlements; and so in the next thirty years the previous

⁴² Ibid.

castle was rebuilt to the very fine Gothic Revival Castle that stands there today looking towards Woolsthorpe village and Nottingham beyond.

The modern-day grade I listed castle, in its elevated location overlooking the Vale of Belvoir, is a magnificent building consisting of many gothic towers, battlements, turrets, chimneys and balconies in a romantic mixed gothic style with crenellated parapets. The windows are mainly upright cross casements and substantial medieval masonry still exists within the lower storeys.⁴³

- 3.72. With regard to outward views from the Conservation Area, the Conservation Area Appraisal sets out the following:

"The castle occupies a commanding position at the north eastern end of the Vale of Belvoir escarpment with spectacular view across the vale to the north and is set within a huge swathe of trees and formal landscaped gardens with two lakes. From within the Castle grounds there are also intimate and distance views through woodland areas of the Castle and other important buildings. The designed elements and the landscape in particular providing and enhancing those views."⁴⁴

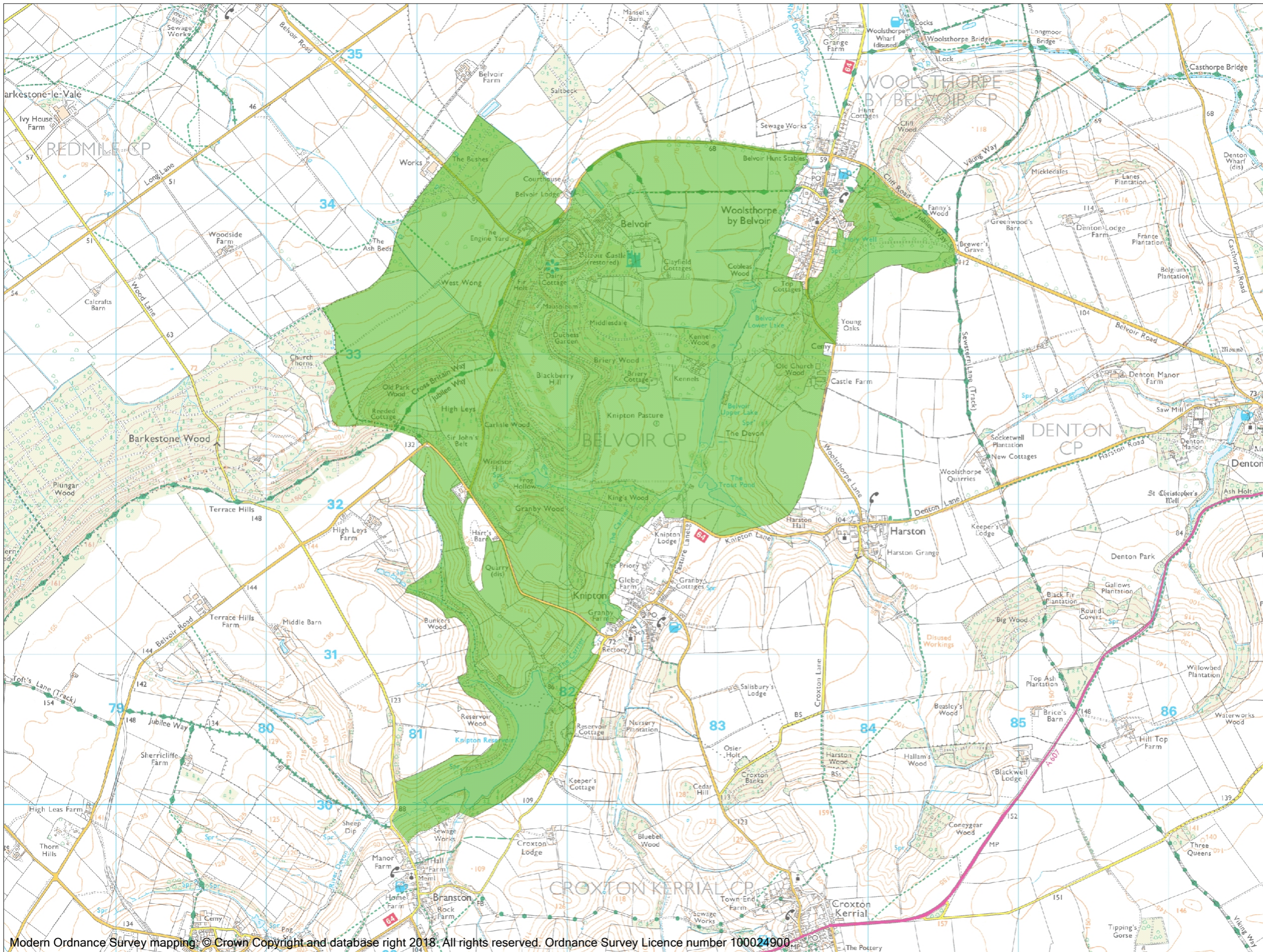
- 3.73. The remainder of the views discussed within the Conservation Area Appraisal relate to the 'internal views' within the bounds of the designation.
- 3.74. The Conservation Area Appraisal provides a simplistic overview of the 'castle grounds' to the south and east of the Castle, but wrongly states that 'Capability Brown was consulted on the landscaping in 1780, but his proposals were not executed.'
- 3.75. Accompanying the Conservation Area Appraisal is a Conservation Area Management, also undated, a copy of which is provided at CD 5.10. This document is focused upon changes *within* the bounds of the designation and does not make reference to the wider Belvoir Estate or landscape.

⁴³ Ibid.

⁴⁴ Ibid.



Appendix 7A: Historic Plan of the RPG Designation.



Heritage Category:
Park and Garden
List Entry No: 1000957
Grade: II*

County: Leicestershire, Lincolnshire
District: Melton, South Kesteven
Parish: Belvoir, Woolsthorpe By Belvoir, Croxton Kerrial, Redmile

Each official record of a registered garden or other land contains a map. The map here has been translated from the official map and that process may have introduced inaccuracies. Copies of maps that form part of the official record can be obtained from Historic England.

This map was delivered electronically and when printed may not be to scale and may be subject to distortions. The map and grid references are for identification purposes only and must be read in conjunction with other information in the record.

List Entry NGR: SK8247232173
Map Scale: 1:25000
Print Date: 13 August 2024

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This is an A3 sized map and should be printed full size at A3 with no page scaling set

Name: Belvoir Castle



Appendix 7B – Belvoir Castle Floor Plans

Extract of the floor plans of Belvoir Castle as included *Belvoir Castle: 1000 years of Family, Art and Architecture*⁴⁵ annotated to show the location of all rooms discussed within my Evidence and the inclusion of north arrow.

- Ground plans of the Public Rooms*
- | | | |
|------------------------------------|------------------------------|-----------------------------|
| A Courtyard | 8 The Chapel | 16 The King's Sitting Room |
| 1 The Portico | 9 The Ballroom Stairs | 17 The King's Bedroom |
| 2 The Pre-Guard Room | 10 The Ballroom | 18 The King's Dressing Room |
| 3 The Guard Room | 11 The Chinese Dressing Room | 19 The Earl's Landing |
| 4 The Old Kitchens and Pastry Room | 12 The Chinese Bedroom | 20 The Regent's Gallery |
| 5 Upper part of the Guard Room | 13 The Elizabeth Saloon | 21 The Libraries |
| 6 The Carriage Landing | 14 The State Dining Room | 22 Upper part of the Chapel |
| 7 The 40-Acre Landing | 15 The Picture Gallery | |

GROUND FLOOR



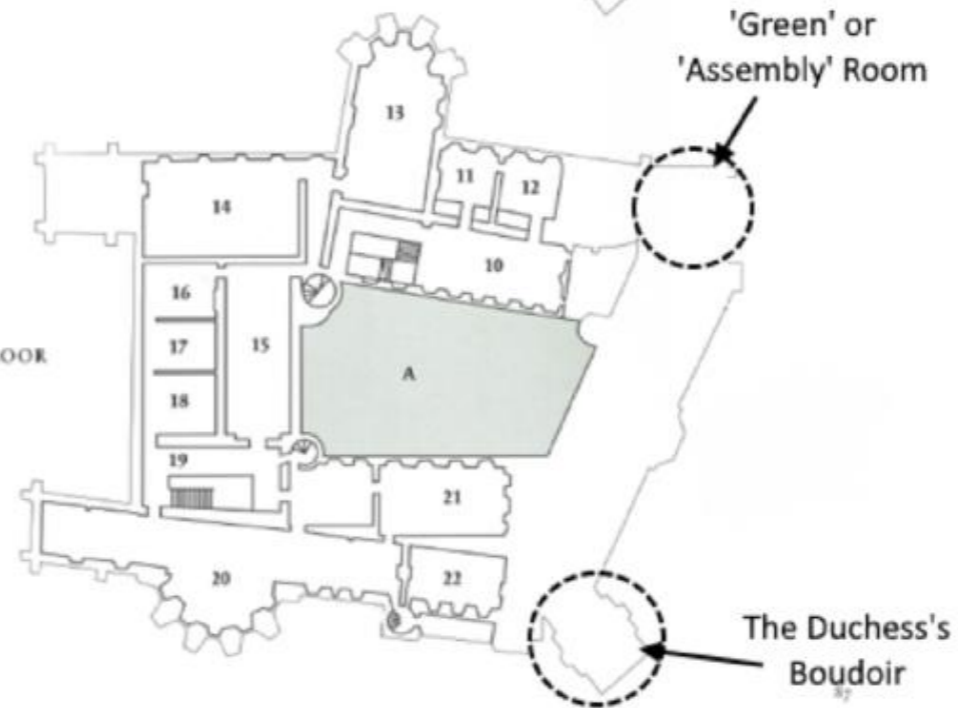
86

FIRST FLOOR



N

SECOND FLOOR



⁴⁵ *Duchess of Rutland, 2009, Belvoir Castle: 1000 years of Family, Art and Architecture, p. 11*

4. Church of St Mary, Bottesford.

Introduction

- 4.1. This appendix provides additional background information regarding the Church of St Mary, Bottesford which has informed my assessment in Section 5 of my Evidence.
- 4.2. The information provided is proportionate to the understanding and consideration of the nature of change that would occur as a result of the proposals

The Church of St Mary

- 4.3. The Church of St Mary, Bottesford was added to the National List, at Grade I, on 1st January 1968 (NHLE Ref. 10750950). The List Entry provides the following summary of form and fabric of the building.

"Parish church. C13 chancel, altered C15. C14 north transept, south aisle and south porch. North aisle and south transept C15. West tower and spire originally C15 but completely rebuilt 1876. Many restoration projects in later C19. Nave roof restored 1967, chancel re-roofed 1968.

Ironstone and limestone. 3 stage west tower, externally of 6 stages defined by string courses. Stepped angle buttresses. Arched west door with shields in spandrels under square hood. Shields have emblems of Passion and arms of de Roos family. Above is 4-light transomed window. 2-light ringing chamber windows and similar, taller, 2-light belfry windows. Crenellated parapet with 4 square corner pinnacles. Recessed octagonal crocketed spire with 3 tiers of gabled lucarnes placed to alternate facets, each of 2 lights. 3-light Perpendicular nave windows under square hoods on label stops. Tall gabled south porch with moulded arched entrance below upper Window. Blocked external door on west side led to parvise (porch now open on interior). Side buttresses and upper reticulated window to east side. Gabled transepts supported by angle buttresses and lit through 5-light Perpendicular windows, that to south gable of south transept under pointed arch, the corresponding north window under a basket arch. South transept with parapet frieze of shields within quatrefoils. 11 clerestory windows arranged 2 per bay, all 3-light with lozenge tracery and arched heads below hoods. Between windows are elaborate gargoyles. Parapet with frieze of shields within quatrefoils. Parapet carries 2 crocketed pinnacles per bay and terminates at east returns with larger polygonal pinnacles. Chancel has 2 tiers of windows to south, all of 3 cusped lights under square heads. 3 to lower stage, 6 to upper. North chancel has Perpendicular 3-bay vestry with windows of varying design and size. 5-light Perpendicular east window under depressed arch.

Interior. 4-bay arcade of octagonal piers with moulded polygonal capitals and bases. Double chamfered arches. Wider quatrefoil piers support transept arches to east. C19 chancel arch with large coat of arms and initials V R (Queen Victoria). Above are faint fragments of wall paintings, subject not decipherable, nor date. Clerestory windows with moulded jambs. Nearly flat nave roof of ties on wall posts, ridge piece and one pair butt purlins. Restored C15 octagonal font, the stem of 3 bulbous carved shafts, the bowl with carved flowers and angels in arched panels. Details are mostly C19. Polygonal timber pulpit 1631: arcaded panels with

much floral design; hexagonal stem. North side of chancel has C13 arcade leading into Perpendicular vestry. Chancel roof similar to nave.

Chancel is crowded with monuments, first to de Roos family and others, later to Manners family; that is, the Earls and Dukes of Rutland. Inscription plate to Robert de Roos and wife 1285, with, probably, a marble figure of Robert. Brasses to Henry de Codynton 1404 and John Freeman early C15. 2 effigies of knights on chests each side of altar: William de Roos, 1414, and John de Roos, 1421. Monuments to first 8 Earls of Rutland are positioned further west, the first six of alabaster, the rest of marble. First Earl, by Richard Parker, 1543. Second Earl 1563. Third Earl by Gerard Johnson, 1591. Fourth Earl also by Gerard Johnson, 1591. Fifth Earl by Nicholas Johnson, 1612. Sixth Earl, 1632. Seventh Earl by Grinling Gibbons, 1684. Eighth Earl also by Gibbons, 1684."

- 4.4. A full copy of the List Entry is provided at Appendix 7 of CD 1.33 – 7.
- 4.5. The Church is situated within a defined churchyard, in the northern extent of the settlement of Bottesford with the southern and eastern extents of the churchyard defined by the course of the Devon. There are 2no. Grade II Listed monuments within the churchyard, with a mixture of historic and modern built form surrounding the defined area.



Plate 4.1: Aerial photograph detailing the Church of St Mary (purple) situated within its defined churchyard within the northern extent of the settlement of Bottesford. The Appeal Site is not within the area shown.

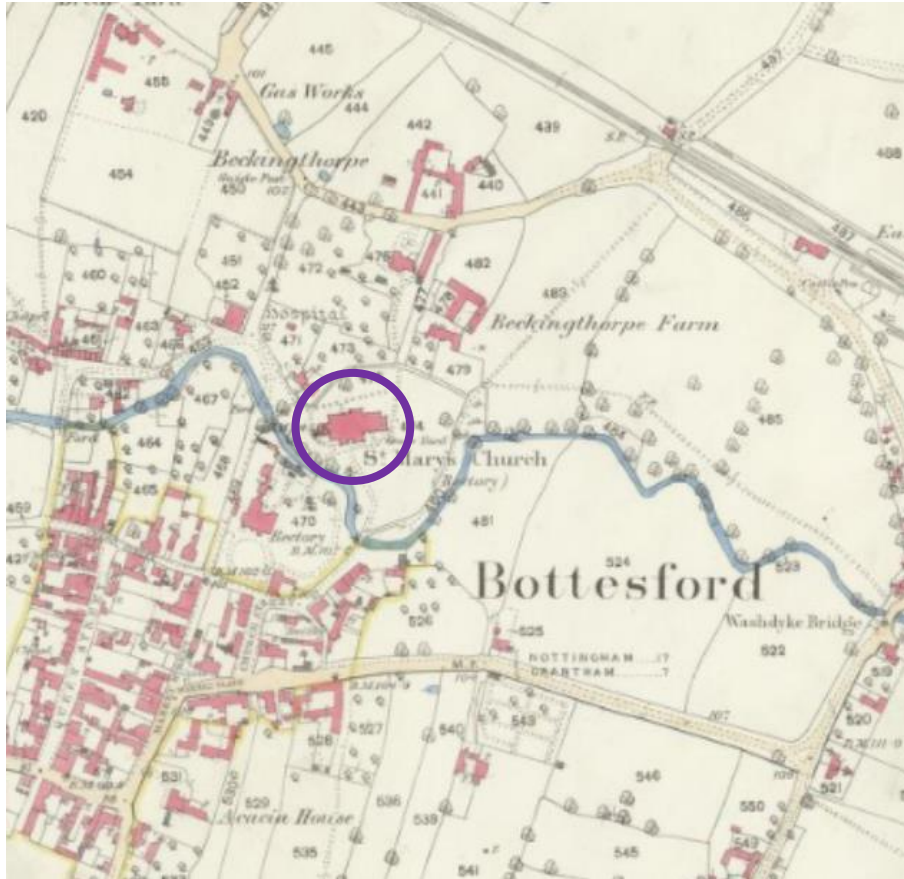


Plate 4.2: Extract from the Ordnance Survey Map of 1884. Church of St Mary highlighted in purple. The Appeal Site is not within the area shown.



Plate 4.3: Extract from the Ordnance Survey Map of 1933. Church of St Mary highlighted in purple. The Appeal Site is not within the area shown.

5. Relevant Designated Heritage Assets at Muston.

Introduction

- 5.1. This appendix provides background information regarding the Scheduled Moated Grange with Fishpond (henceforth referred to within this Section as 'Scheduled Grange site') and the Grade II* Listed Church of St John the Baptist which has informed my assessment in Section 6 of my Evidence.
- 5.2. The information provided is proportionate to the understanding and consideration of the nature of change that would occur as a result of the proposals

Scheduled Grange Site

- 5.3. The Scheduled Grange site was Scheduled on 5th March 1993 (NHLE Ref. 1009175). The extent of the designated area is detailed at Plate 5.1, with the following description of the asset provided within the List Entry.

"The large moated grange site containing an internal fishpond lies on the western bank of the River Devon, 150m north-west of Muston church. The moated area is subrectangular, the longest dimension measuring 200m and lying on a north-west, south-east axis. The moated boundaries of the site are straight, with the exception of the north-eastern side which follows the course of the river defining the maximum width of the site as 125m. There is an external bank on the north-east side which follows the river. Its original dimensions are difficult to determine because of river dredging and disturbance. An internal bank exists on the northern half of the site and is approximately 0.5m in height. The moat arms are on average 12-15m wide and 1.5-2m deep, with the exception of the southern part of the western side which narrows to 10m and is only 1m deep. A house platform 20m square and 0.5m in height is situated near the centre of the moated area. A faint trace of a hollow trackway exists leading from the platform to the moat on the eastern side, suggesting an original access point. Traces of further building platforms exist in the southern half of the site but are difficult to define. Midway along the western side of the site is an 'L' shaped fishpond 1.5m deep, the arms of which measure 35m x 15m. The manor of Muston was part of Olveston Priory near Bristol, the moated area being the grange farm. The site at Muston has similarities to grange sites in the parishes of Owston and Melton Mowbray in north-east Leicestershire."

- 5.4. Under the heading 'Reasons for Designation', the List Entry sets out the following:

"A monastic grange was a farm owned and run by a monastic community and independent of the secular manorial system of communal agriculture and servile labour. The function of granges was to provide food and raw materials for consumption within the parent monastic house itself, and also to provide surpluses for sale for profit. The first monastic granges appeared in the 12th century but they continued to be constructed and used until the Dissolution. This system of agriculture was pioneered by the Cistercian order but was soon imitated by other orders. Some granges were worked by resident lay-brothers (secular workers) of the order but others were staffed by non-resident labourers."

The majority of granges practised a mixed economy but some were specialist in their function. Five types of grange are known: agrarian farms, bercaries (sheep farms), vaccaries (cattle ranches), horse studs and industrial complexes. A monastery might have more than one grange and the wealthiest houses had many. Frequently a grange was established on lands immediately adjacent to the monastery, this being known as the home grange. Other granges, however, could be found wherever the monastic site held lands. On occasion these could be located at some considerable distance from the parent monastery. Granges are broadly comparable with contemporary secular farms although the wealth of the parent house was frequently reflected in the size of the grange and the layout and architectural embellishment of the buildings. Additionally, because of their monastic connection, granges tend to be much better documented than their secular counterparts. No region was without monastic granges. The exact number of sites which originally existed is not precisely known but can be estimated, on the basis of numbers of monastic sites, at several thousand. Of these, however, only a small percentage can be accurately located on the ground today. Of this group of identifiable sites, continued intensive use of many has destroyed much of the evidence of archaeological remains. In view of the importance of granges to medieval rural and monastic life, all sites exhibiting good archaeological survival are identified as nationally important.

The moated grange at Muston contains substantial earthworks and has well documented connections with the distant priory of Olveston near Bristol."

5.5. A full copy of the List Entry is provided at Appendix 12 of CD 1.33 – 7.

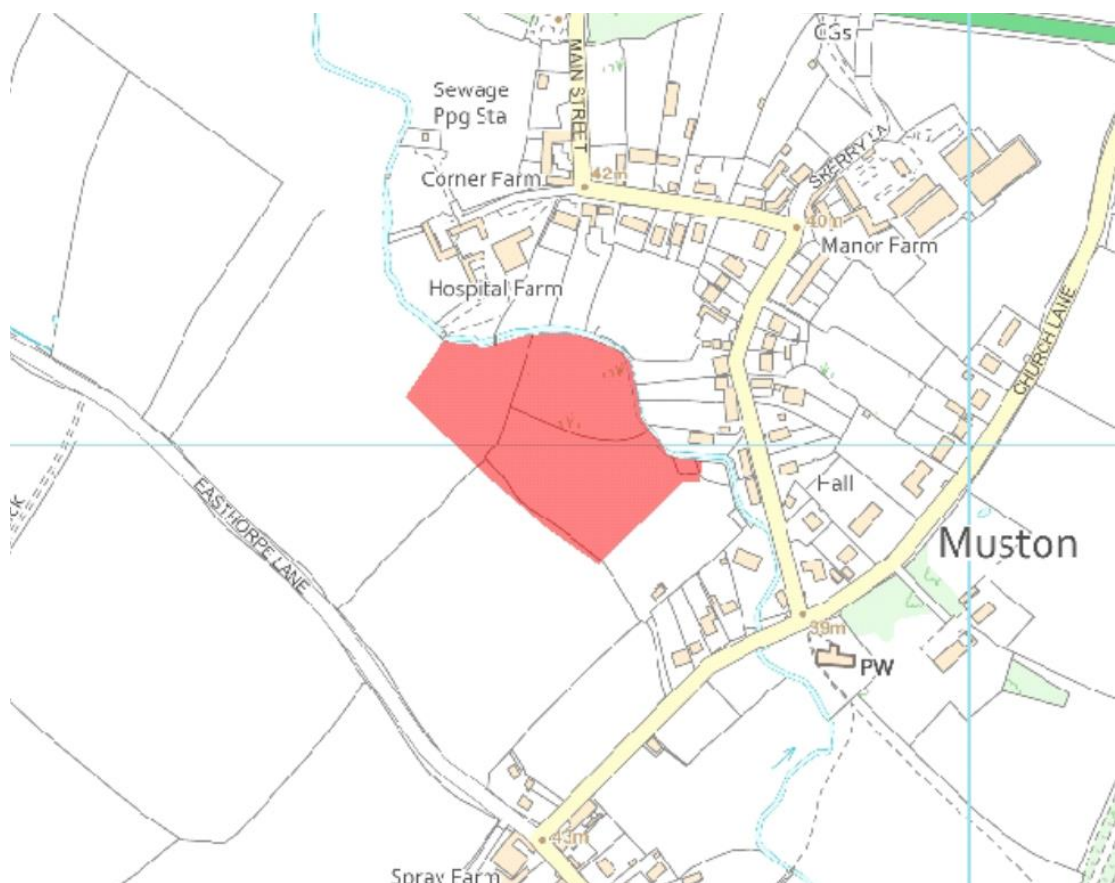


Plate 5.1: Extract from Historic England mapping detailing the extent of the Scheduled area. The red shading indicates the element of the Appeal Site within this area.



Plate 5.2: Aerial photograph of the Scheduled area (approximate boundary shown in purple) and its environs. The red shading indicates the element of the Appeal Site within this area.

- 5.6. The Scheduled Grange site is situated on the western side of the settlement of Muston, with its northern boundary marked by the course of the River Devon. Domestic gardens and enclosed paddocks lie to the north and east of the Scheduled area, with open field to the south and west. Fields to the south and west, north of Easthorpe Lane, contain visual evidence of slight ridge and furrow earthworks.
- 5.7. The Grange, when operational in the medieval period, would have been part of a wider medieval landscape. The wider landscape is largely of a modern composition and includes enclosure period and modern field patterns, the A52 and vertical features such as overhead power lines. Accordingly, the wider landscape, in particular that beyond Easthorpe Lane (which provides a physical barrier between the Scheduled Grange site and the wider landscape to the south). The latter cannot be considered to represent a relic of the historic, contemporary landscape 'setting' of the Scheduled Grange site. It is, however, acknowledged that there are a number of surviving buildings within Muston and its environs which demonstrate evidence of medieval fabric, including the Church of St John the Baptist and the Church of St Mary. Whilst a building would have been present on the site of the current Belvoir Castle, the iteration of the 'castle' as then extant does not relate to the existing in terms of the design, use and appearance (see Heritage PoE Appendix 3).
- 5.8. As set out in the List Entry, the Scheduled Grange site has documented connections with the priory of Olveston near Bristol. The extent of the surrounding land ownership or association with the Grange in the medieval period is unidentified. The Appeal site

has been part of the Belvoir Estate since at least the 19th century. Accordingly, no definitive evidence of an economic, social or historic connection between the Appeal Site and the Scheduled Grange site has been identified. Furthermore, should any such connections have been present, they would have been severed at the time of the Dissolution.

- 5.9. A Benedictine priory is known to have been established at Belvoir, close to the existing Castle, by Robert de Toden in the 11th century, the motherhouse of which was St Albans Abbey. There is no evidence that the Grange complex at Muston was connected to Belvoir Priory. Even if any connections may once have existed, they have long since been severed and are no longer understood.

Grade II* Listed Church of St John the Baptist

- 5.10. The Church of St John the Baptist was added to the National List, at Grade II*, on 1st January 1968 (NHLE Ref. 1360899). The List Entry provides the following description of the asset:

"Parish church. C13 nave and aisles, C14 west tower and chancel. Alterations recorded 1440. Restored 1875–6 by C. Kirk.

Ironstone with limestone dressings. 3 stage tower, externally of 4 stages defined by string courses. 2-light cusped Y tracery west window. Cusped lancets to ringing chamber and 2-light Decorated belfry windows. Corbel table below 4 corner pinnacles. Octagonal broach spire with 3 tiers of gabled lucarnes decreasing markedly in size. They alternate between facets and contain Decorated 2-light tracery. 3-light Perpendicular south aisle windows under pointed arches. 2- and 3-light Perpendicular north aisle windows under pointed segmental arches. 3 2-light cusped clerestory windows each side under flat heads with hoods. Gabled north and south porches, both with moulded arched entrances. North porch has in addition stepped diagonal buttresses and 2 crocketed pinnacles. South porch has set into its east wall a monument to William Brown, 1761. 2 2-light Flamboyant chancel south windows and 2 3-light north windows separated by an arched Priest's door. 3-light east window of elongated reticulation units. South and east windows probably 1875.

Interior. 3-bay C13 arcade, the octagonal piers with polygonal bases and capitals. Capitals with nailhead and occasional crocket decoration. Double chamfered arches. Triple chamfered tower arch and depressed chancel arch. C19 nave roof of ties, ridge piece and one pair butt purlins. 19 C15 poppyheads remain to later benches. Octagonal C15 font with hollow sides to stem, each with 2 fleurons. 4 carved heads to base. Bowl has split-cusped quatrefoils to each facet containing grimacing heads. C15 screen of 3 cusped lights right and left of cusped ogee opening is so restored as to appear entirely C19. Chancel roof as nave. Wall monument in chancel to Robert Sanderson, 1682. Heads of chancel south windows contain fragments of late C14 stained glass."

- 5.11. A full copy of the List Entry is provided at Appendix 8 of CD 1.33 – 7.
- 5.12. The Church is situated within a defined churchyard, in the central part of the settlement of Muston at the junction of Church Lane and Main Street. There is 1 no. Grade II Listed monument within the churchyard.

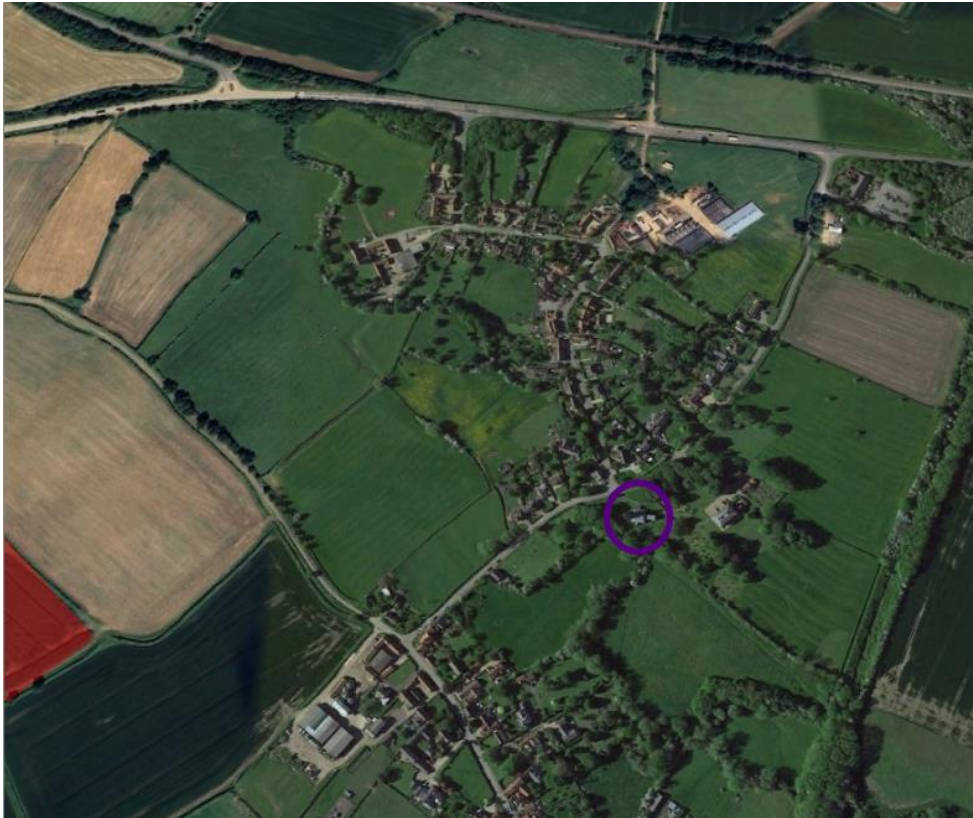


Plate 5.5: Aerial photograph detailing the Church of St John the Baptist (purple) situated within its defined churchyard within the central part of the settlement of Muston. The red shading indicates the element of the Appeal Site within this area.

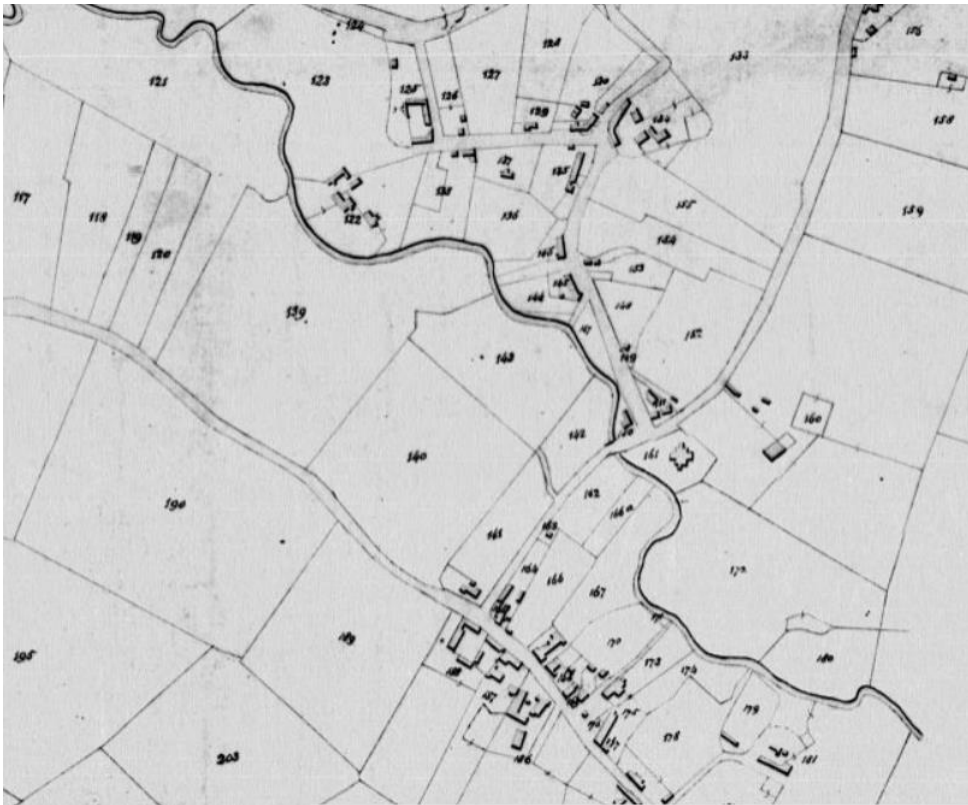


Plate 5.5: Extract from the Muston Tithe Map of 1849, focused on the settlement of Muston including the Scheduled Grange site and the Church of St John the Baptist.



Plate 5.6: Extract from the Ordnance Survey Map of 1884 focused on the western edge of the settlement of Muston.

6. Legislation and Planning Policy.

Introduction

- 6.1. This following sets out the heritage legislation and planning policy considerations relevant to the consideration of this Appeal, and supports the discussions presented within Sections 7 and 9 of my Evidence.

Legislation

- 6.2. Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*,⁴⁶ which provides statutory protection for Listed Buildings and Conservation Areas.

- 6.3. §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.”⁴⁷

- 6.4. 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.”⁴⁸

- 6.5. Nevertheless, key is the use of the terms ‘special regard’ and ‘desirability’. §66(1) does not state that where a development does not preserve or enhance a development that it must be considered contrary to legislation and should be refused.

- 6.6. This is echoed in the ‘Palmer’ case, which sets out that:

“Although the statutory duty requires special regard to 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.”⁴⁹

⁴⁶ UK Public General Acts, *Planning (Listed Buildings and Conservation Areas) Act 1990* – CD 4.26.

⁴⁷ *Ibid.*, Section 66(1).

⁴⁸ *Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others* [2014] EWCA Civ 137. para. 24 – CD 6.6.

⁴⁹ *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061. Paragraph 34 – CD 6.3.

6.7. 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 §134 of the 2012 draft of the NPPF, the requirements of which are now given in §208 of the revised 2023 NPPF, see below), this is in keeping with the requirements of the 1990 Act.⁵⁰

6.8. With regards to development within Conservation Areas, §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 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."⁵¹

6.9. Unlike §66(1), §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. Accordingly, §72(1) is not applicable to this case.

The National Planning Policy Framework (December 2023)

6.10. National policy and guidance is set out in the Government's *National Planning Policy Framework (NPPF)* published in December 2023. This replaced and updated the previous *NPPF* (September 2023). The *NPPF* needs to be read as a whole and is intended to promote the concept of delivering sustainable development. Section 16 of the *NPPF* relates to 'Conserving and Enhancing the Historic Environment'

6.11. 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)."⁵²

6.12. 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."⁵³

⁵⁰ *Jones v Mordue* [2015] EWCA Civ 1243 – CD 6.5.

⁵¹ UK Public General Acts, *Planning (Listed Buildings and Conservation Areas) Act 1990*. Section 72(1).

⁵² DLUHC, *NPPF*, Annex 2 – CD. 4.1

⁵³ *Ibid.*

6.13. As set out in Heritage PoE Appendix 1, significance is defined in the NPPF 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.”⁵⁴

6.14. §201 of the NPPF states 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 between the heritage asset’s conservation and any aspect of the proposal.”⁵⁵

6.15. §203 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.”⁵⁶***

6.16. With regard to the impact of proposals on the significance of a heritage asset, §205 and §206 of the NPPF are relevant and read as follows:

§205 – “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.”⁵⁷

§206 – “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:

⁵⁴ Ibid.

⁵⁵ Ibid, para. 201 – CD 4.1.

⁵⁶ Ibid, para. 203 – CD 4.1.

⁵⁷ Ibid, para. 205 – CD 4.1.

- 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.”⁵⁸*

6.17. In the context of the above, it should be noted that §207 of the NPPF 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 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.”⁵⁹*

6.18. §208 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.”⁶⁰

6.19. The Courts (‘Pugh’⁶¹) have held that where the decision-maker works through the sequence for dealing with proposals which impact upon heritage assets in the context of §205–208 of the NPPF and finds that any harm to significance is outweighed by public benefits, then the clear and convincing justification referred to at §206 of the NPPF is in place.

6.20. Such policies considerations are addressed within Section 8 of the Evidence of Mr Burrell.

⁵⁸ Ibid, para. 206 – CD 4.1.

⁵⁹ Ibid, para. 207 – CD 4.1.

⁶⁰ Ibid, para. 208 – CD 4.1.

⁶¹ Pugh v SoS for Communities and Local Government [2015] EWHC 3 (Admin) – CD 6.39.

- 6.21. The NPPF also provides specific guidance in relation to Conservation Areas, stating at §212 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.”⁶²

- 6.22. §213 goes on to recognise that “not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance” 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 207 or less than substantial harm under paragraph 208, 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.”⁶³ (our emphasis)

August 2024 Consultation Draft

- 6.23. On 2nd August 2024 a draft of the proposed revisions to the NPPF was issued for consultation. No revisions to Section 16 of the NPPF were proposed under the draft.

National Planning Practice Guidance

- 6.24. The then Department for Communities and Local Government (now the Department for Levelling Up, Housing and Communities) 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.
- 6.25. 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.
- 6.26. The PPG has a section on the subject of the Historic Environment⁶⁴, a copy of which is provided at CD 4.2B. The content of this section has informed the Methodology which I have utilised in my assessments, as set out in Heritage PoE Appendix 1.

⁶² DLUHC, NPPF, para 212 – CD 4.1.

⁶³ Ibid, para. 213 – CD 4.1

⁶⁴ Department for Levelling Up, Housing and Communities (DLUHC), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment> – Core CD 4.2B

Local Planning Policy

- 6.27. Reason for Refusal 4 makes reference to the following policies of the Melton Local Plan:
- Policy SS1 – 'Presumption in favour of Sustainable Development.'
 - EN10 – Energy Generation from Renewable and Low Carbon Sources
 - Policy EN13 – Heritage Assets
 - Policy D1 – Raising the Standard of Design
- 6.28. The wording of the above policies is set out below. It is my understanding that the general approach to the consideration of the historic environment in the decision-making process set out within the above policies is in line with that set out in the NPPF. These policies are considered within Section 8 of the Evidence of Mr Burrell.
- 6.29. The reason for refusal also makes reference to Policy 9 of the Bottesford Neighbourhood Plan which pertains to the consideration of the Renewable Energy and Low Carbon Technologies. §3 of Policy 9 states that *'Development of individual and community scale proposals that use renewable and low carbon energy resources will be supported where the scheme has demonstrated compliance with national policy in weighing the benefit in reducing carbon emissions against the impact on heritage assets.'* This matter is considered within the evidence of Mr Burrell. This matter is considered within Section 8 of the Evidence of Mr Burrell, and his accompanying Appendix 5.



7. Glint & Glare Assessment Addendum

Glint and Glare Report Addendum

JBM Solar Projects 10 Limited

Belvoir

August 2024

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ADMINISTRATION PAGE

| | |
|-----------------------|----------------------|
| Job Reference: | 10227E |
| Author: | Ricky Tso |
| Telephone: | 01787 319001 |
| Email: | ricky@pagerpower.com |

| | |
|---------------------|--|
| Reviewed By: | Phillip Charhill, Hannah McNaul |
| Email: | phillip@pagerpower.com, hannahm@pagerpower.com |

| Issue | Date | Detail of Changes |
|-------|-------------|-------------------------|
| 1 | July 2024 | Initial issue |
| 2 | July 2024 | Re-issue |
| 3 | July 2024 | Administrative Revision |
| 4 | August 2024 | Administrative Revision |

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Stour Valley Business Centre, Brundon Lane, Sudbury, CO10 7GB

T: +44 (0)1787 319001 E: info@pagerpower.com W: www.pagerpower.com

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EXECUTIVE SUMMARY

Purpose of this Addendum

Pager Power has been retained to assess the possible effects of glint and glare from a solar photovoltaic (PV) development at Belvoir located in Leicestershire, UK. The Appeal Site is identified as land situated to the west and south-west of Muston and south of Easthorpe, which comprises land to the south of the A52, east of Castle View Road and Winter Beck, north of the Grantham Canal, and to the west of Easthorpe Lane, Bottesford, Leicestershire. The Appeal Site is described as land within Fields OS 6700 6722 And 5200 Muston Lane Easthorpe, being centred on co-ordinates: X: 482177, Y: 337450¹.

This document forms an addendum to the previously completed glint and glare assessment², and has been prepared to aid in the consideration of potential impacts on the built historic environment only.

Background

The previously completed glint and glare assessment pertained to the possible impact upon surrounding road users and dwellings in accordance with industry best practice. This addendum assesses the extent of glint and glare associated with the revised scheme (submitted under the 'Holborn Amendment') from six additional locations. This assessment, and in turn the siting of the additional locations, is associated with the consideration of built heritage assets only.

Conclusions

The modelling has shown that solar reflections are predicted towards two of the six additional viewpoints. In Pager Power's experience, significant impacts to pedestrians/observers using the surrounding public rights of way are not possible due to glint and glare effects from PV developments. The reasoning is due to the sensitivity of the receptors (in terms of amenity and safety) being concluded to be of low significance. This is because:

- The typical density of pedestrians located at these points is low in a rural environment;
- Any resultant effects are less serious than, for example, solar reflections experienced towards a road network whereby the resultant impacts of a solar reflection can be much more serious;
- Glint and glare effects towards an observer are transient, and time and location sensitive whereby a pedestrian could move beyond the solar reflection zone with ease with little impact upon safety or amenity;

¹ Confirmed by client, dated 25th of July 2024

² Pager Power report reference 10227C - Solar Photovoltaic Glint and Glare Study - Belvoir Issue 4

- Any observable solar reflection towards an observer would be of similar intensity to those experienced whilst navigating the natural and built environment on a regular basis.

Overall, no significant impact on observers using the surrounding public rights of way is predicted and therefore mitigation is not recommended.

1 SOLAR DEVELOPMENT LOCATION AND DETAILS

1.1 Overview

The following sections present key details pertaining to the updated layout.

1.2 Amended Scheme Site Layout and Landscape Strategy

Figures 1 and 2 below show the amended scheme site layout and landscape strategy³ for the proposed development, with solar panels outlined as dark grey rectangles.

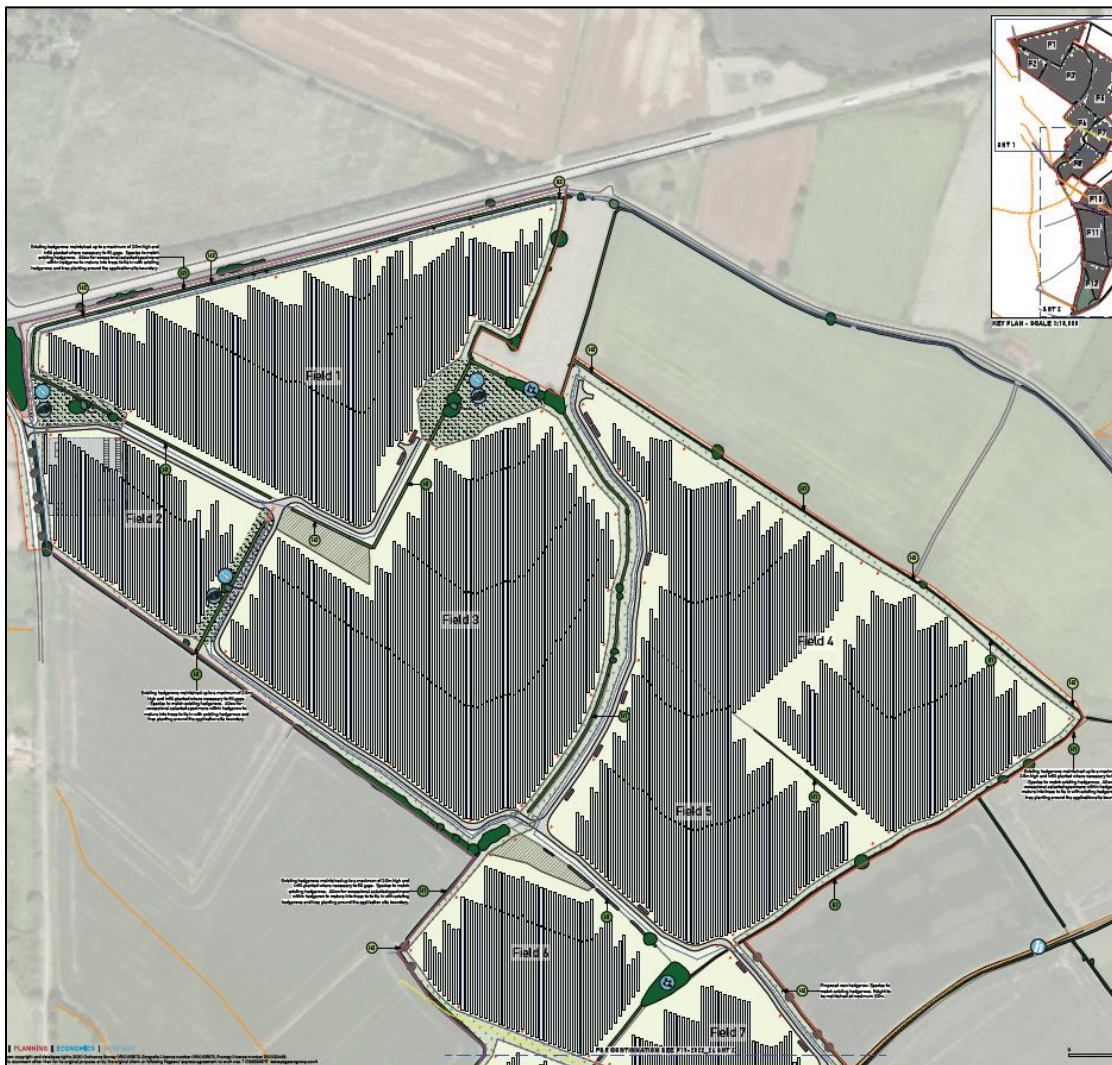


Figure 1 Site layout

³ Source: CD2.2 P19-2022_24C Amended Scheme Site Layout & Landscape Strategy-APPEAL.pdf [cropped].

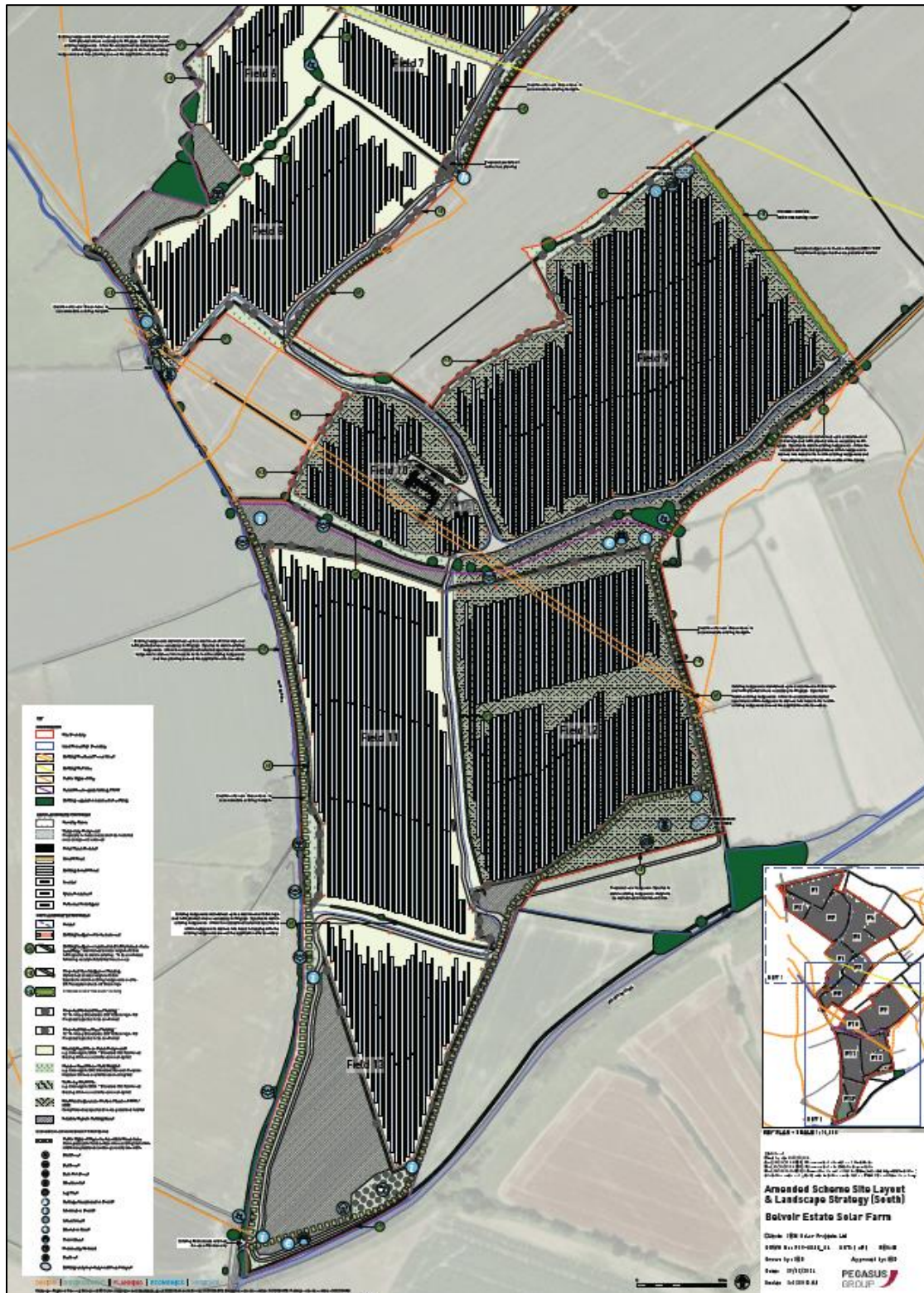


Figure 2 Site layout cont.

2 GEOMETRIC ASSESSMENT RESULTS

2.1 Geometric Calculation Results – Additional Viewpoint Receptors

Identified additional viewpoint receptors

Figure 3 below shows an overview of the assessed additional viewpoint receptors.



Figure 3 Additional Viewpoint Receptors overview

2.2 Additional Viewpoint Data

The additional viewpoint receptor data is presented in the table below. Receptors have been modelled with additional heights of 1.8m added to the elevation to account for the eye-level of a typical pedestrians.

| No. | Longitude (°) | Latitude (°) | Assessed Height (amsl) |
|-----|---------------|--------------|------------------------|
| 1 | -0.79060 | 52.93229 | 37.86 |
| 2 | -0.76230 | 52.92265 | 47.55 |
| 3 | -0.79482 | 52.92245 | 46.38 |
| 4 | -0.77564 | 52.90069 | 86.78 |
| 5 | -0.78626 | 52.89620 | 89.93 |
| 6 | -0.78211 | 52.89491 | 137.04 |

Table 1 Additional viewpoint receptor data

2.3 Additional Viewpoint Discussion

The modelling has shown that solar reflections are predicted towards two of the six additional viewpoints. In Pager Power's experience, significant impacts to pedestrians/observers using the surrounding public rights of way are not possible due to glint and glare effects from PV developments. The reasoning is due to the sensitivity of the receptors (in terms of amenity and safety) being concluded to be of low significance. This is because:

- The typical density of pedestrians located at these points is low in a rural environment;
- Any resultant effects are less serious than, for example, solar reflections experienced towards a road network whereby the resultant impacts of a solar reflection can be much more serious;
- Glint and glare effects towards an observer are transient, and time and location sensitive whereby a pedestrian could move beyond the solar reflection zone with ease with little impact upon safety or amenity;
- Any observable solar reflection towards an observer would be of similar intensity to those experienced whilst navigating the natural and built environment on a regular basis.

Overall, no significant impact on observers using the surrounding public rights of way is predicted and therefore mitigation is not recommended.

| Viewpoint Receptor | Geometric Modelling Results (screening not considered) | Duration of the reflection | Period of reflection that would occur (Month) | Mitigating Factors | Predicted Impact Classification |
|--------------------|---|----------------------------|---|---|---------------------------------|
| 1 | Solar reflections are <u>geometrically possible</u> | 4:00am - 9:00am | January to December | Typical density of pedestrians located at these points is low in a rural environment Any resultant effects are less serious Glint and glare effects towards an observer are transient | Low impact |
| 2 | Solar reflections are <u>not geometrically possible</u> | N/A | N/A | N/A | No impact |
| 3 | Solar reflections are <u>geometrically possible</u> | 4:00am - 7:00am | March to April & September to November | Typical density of pedestrians located at these points is low in a rural environment Any resultant effects are less serious Glint and glare effects towards an observer are transient | Low impact |
| 4 - 6 | Solar reflections are <u>not geometrically possible</u> | N/A | N/A | N/A | No impact |

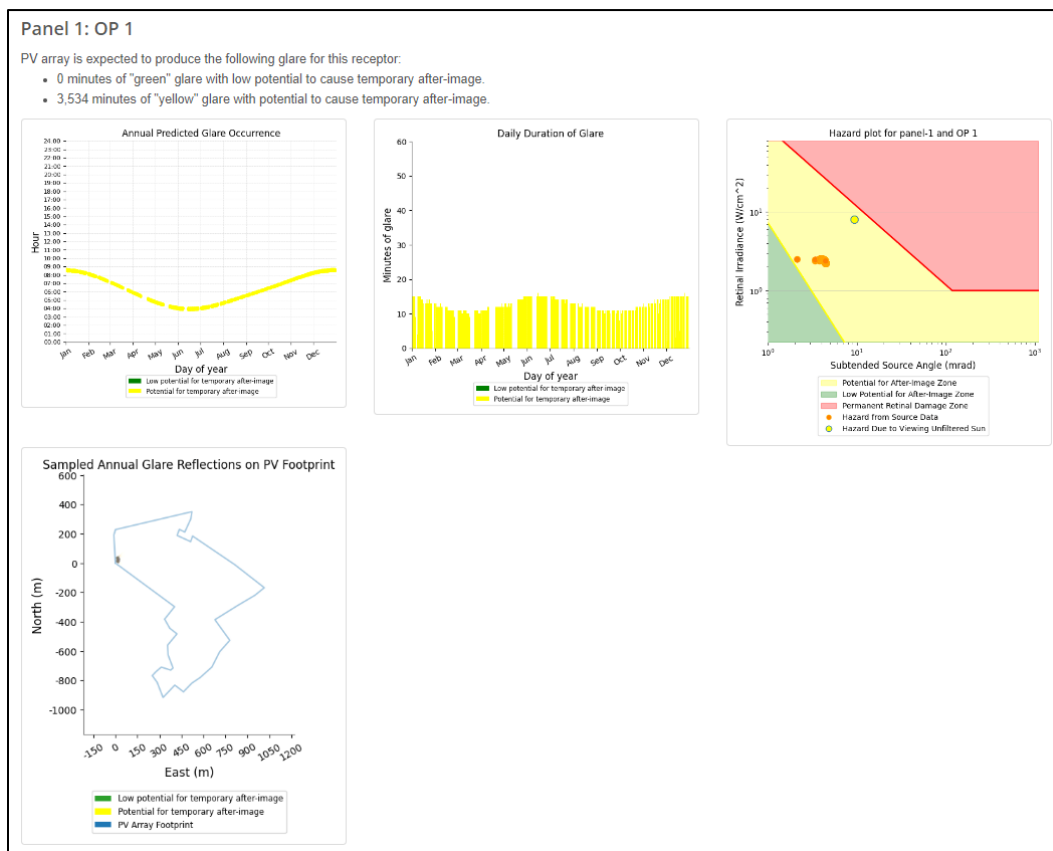
Table 2 Geometric modelling results - road receptors

2.4 Additional Viewpoint Charts

The Forge charts for selected receptors are shown on the following pages. Each chart shows:

- The annual predicted solar reflections;
- The daily duration of the solar reflections;
- The location of the proposed development where glare will originate;
- The calculated intensity of the predicted solar reflections.

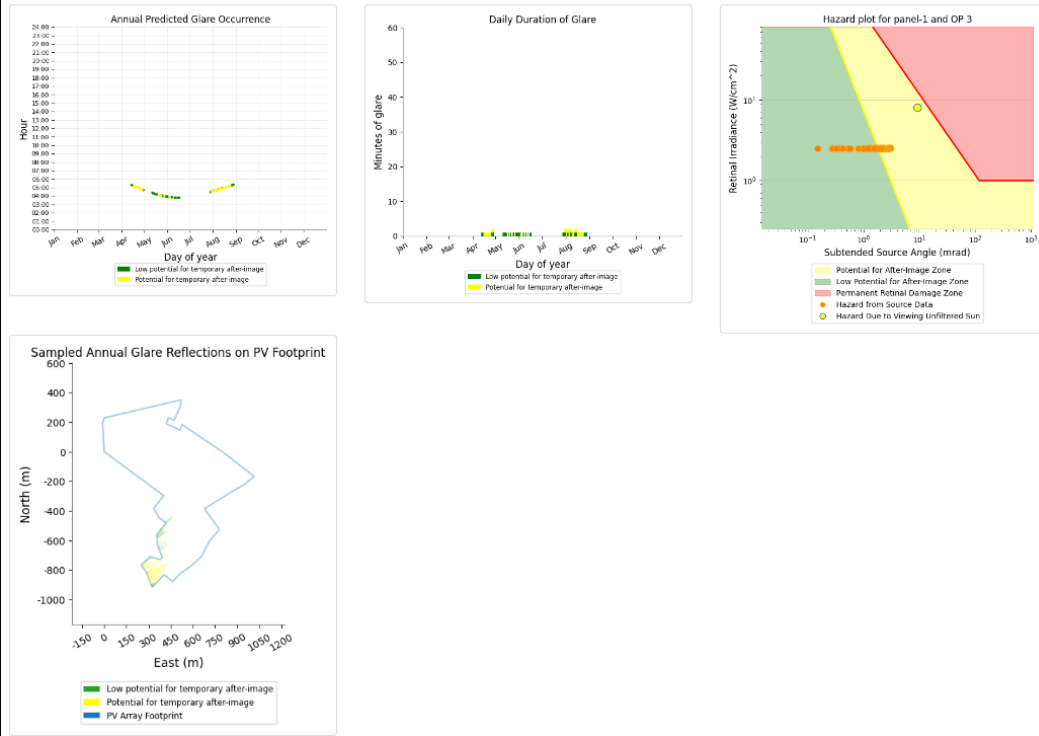
The modelling outputs for receptors where solar reflections are predicted to occur are shown below. Full modelling results can be provided upon request.



Panel 1: OP 3

PV array is expected to produce the following glare for this receptor:

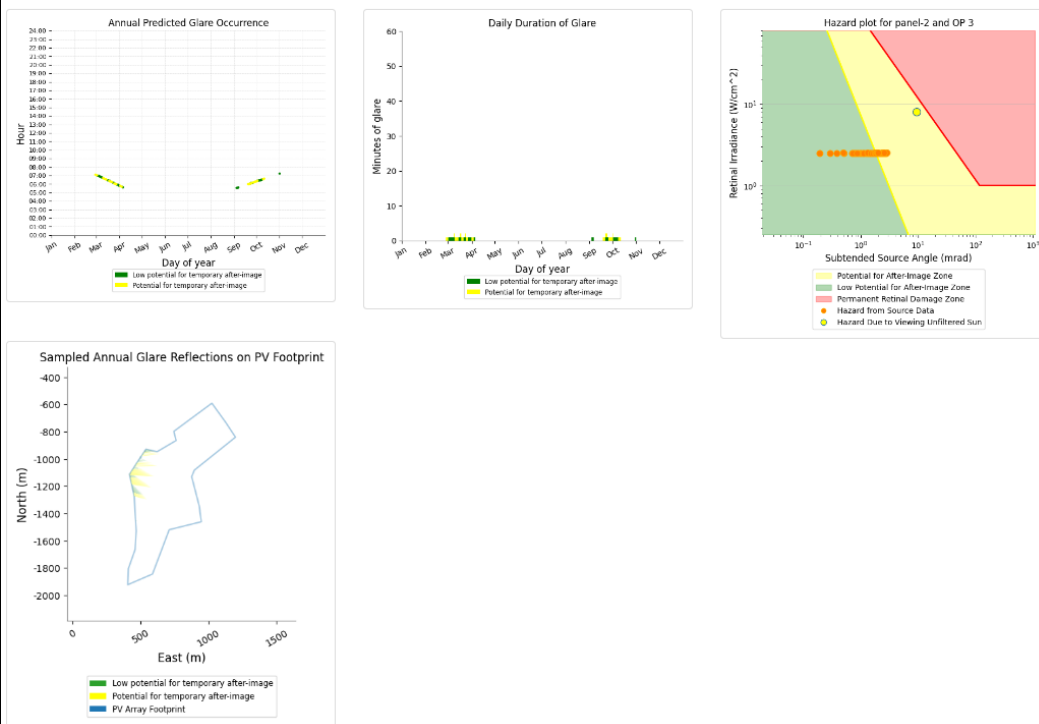
- 44 minutes of "green" glare with low potential to cause temporary after-image.
- 46 minutes of "yellow" glare with potential to cause temporary after-image.



Panel 2: OP 3

PV array is expected to produce the following glare for this receptor:

- 36 minutes of "green" glare with low potential to cause temporary after-image.
- 37 minutes of "yellow" glare with potential to cause temporary after-image.



PAGERPOWER 
Urban & Renewables

Pager Power Limited
Stour Valley Business Centre
Sudbury
Suffolk
CO10 7GB

Tel: +44 1787 319001 **Email:** info@pagerpower.com **Web:** www.pagerpower.com

