

Summary Proof of Evidence – Heritage.

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

Appeal by JBM Solar Projects 10 Ltd.

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

PINS Ref: APP/Y24430/W/24/3340258

LPA Ref: 22/OO537/FUL

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Director





- 1.1. My name is Hannah Armstrong. I am a Director at Pegasus Group I am a full member of the Institute for Historic Building Conservation (IHBC) and an Associate of the Chartered Institute for Archaeologists (CIfA). I have a BA Honours degree in Archaeology from the University of Bristol and a Master of Science in the Conservation of Historic Buildings from the University of Bath. I have over twelve years' experience working in the heritage sector.
- 1.2. The evidence which I have prepared and provided for this Appeal has been prepared and given in accordance with the guidance of my professional institutions. I confirm that the opinions expressed are my true professional opinions, irrespective of by whom I am instructed.
- 1.3. The following provide a summary of my position regarding the designated heritage assets which are the subject of this Appeal.

Grade I Listed Belvoir Castle

- 1.4. The Appeal Site forms part of the 'setting' of Belvoir Castle that contributes to its overall heritage significance. This is principally derived from the economic and social connections between the Appeal Site and Belvoir Castle, and incidental views of Belvoir Castle which are afforded from within the bounds of the Appeal Site. The contribution made by the Appeal Site, however, needs to be viewed in the context of the Appeal Site forming a small part of the outlying Estate landholdings, the distance between the two areas and the lack of designed interaction, i.e., there are no specific designed views to and from the Appeal Site. Thus, it is my position that whilst forming part of the 'setting' of Belvoir Castle that contributes to its overall heritage significance, the level of contribution made is minor.
- 1.5. Whilst the proposed development would result in change in the wider vicinity of Belvoir Castle, it would represent the ongoing evolution of the economic base of the asset, which has support of the Belvoir Estate and is situated within a working and changing landscape some distance from Belvoir Castle and its designed landscape.
- 1.6. The proposed development would only be visible from a select number of rooms within Belvoir Castle and from the not commonly accessed roof, and will only have limited visibility in views from close to the asset. Views from within the designed landscape associated with Belvoir Castle in conjunction with Belvoir Castle are also limited.
- 1.7. It should also be noted that the iteration of Belvoir Castle present today was not a defensive structure. The orientation of the structure coupled with the arrangement of designed planting contemporary with the non-defensive later phases suggests that there are no designed views due north in the direction of the Appeal Site associated with the current 'iteration'.
- 1.8. The proposed development would result in a change to incidental views of the Belvoir Castle in views from Appeal Site and, in the majority of views, the change would be limited to a change in the character of the foreground, with Belvoir Castle remaining understood as a residence of status set amongst designed planting on an area of high ground. The proposed development would introduce a new publicly accessible area from which to dwelling and view Belvoir Castle, accessible from the surrounding PRow network and the Grantham Canal. Visibility of the proposed development in-conjunction with Belvoir Castle from the wider landscape beyond the Appeal Site would be limited.

- 1.9. Taking the nature of change into account, and that the significance of the asset is primarily derived from its physical form; that elements of its setting that make a greater contribution to its significance will not be harmed; and that the Appeal Site is only part of wider incidental views to and from the asset, **harm can only be considered to be less than substantial and at the lower end of that spectrum**. The harm identified would be removed on the decommissioning of the solar farm.

Grade II* RPG at Belvoir Castle

- 1.10. The far southern part of the Appeal Site falls within a periphery area included on Brown's plan of 1780; however, the area did not form part of the designed grounds or parkland planned by Brown. It simply formed part of the surrounding agricultural and industrial land to which Brown sought to create a physical and visual separation, and thus mapped as such. Furthermore, the area was severed from the remainder of the area detailed by Brown by the Grantham Canal in the 1790s and amalgamated into the wider field system to the north.
- 1.11. Although forming part of the Belvoir Estate, the resulting functional, associative and economic connection does not contribute to the historic interest of the RPG to same extent as it does to the Listed Building of Belvoir Castle due to the differences between the two assets and their role in the Estate. This position is in accordance with that established under the *Steer* Judgement.¹
- 1.12. Accordingly, it is my position that the Appeal Site forms part of the 'setting' of the RPG at Belvoir Castle which makes a limited, at most, contribution to the overall heritage significance of the asset. Any such contribution is derived purely from the incidental views towards the northern part of the designation from within the Appeal Site, and the manner to which they contribute to the understanding of the designed planting north of Belvoir Castle, only. No contribution is considered to derive from the inclusion of the far southern part of the Appeal Site on Brown's plan. Irrespective, the element of the Appeal Site which is detailed on Brown's plan would not be subject to change as part of the proposed development with panels to be excluded from this area.
- 1.13. The proposed development would be visible from isolated parts of the RPG; however, it would be viewed as a change within the working landscape some distance from Belvoir Castle and the designed landscape. The ability to see the proposed development would not alter the overall design intent of the designed landscape, nor the understanding and experience of the spatial and visual relationships between Belvoir Castle and its designed gardens and parkland.
- 1.14. The proposed development would result in a change to the very limited experience of the northern edge of the RPG from within the bounds of the Appeal Site and some isolated elements of the wider landscape beyond the bounds of the Appeal Site. However, the overall understanding and experience of the RPG is limited to the appreciation of the designed planting to the north of Belvoir Castle which the structure is nestled amongst.

¹ Catesby Estates Ltd v. Steer, EWCA Civ 1697, 2018 – CD 6.1.

- 1.15. Taking the nature of change into account, and that the significance of the asset is primarily derived from the designed elements within its bounds and the lack of design intent associated with the Appeal Site and the Brownian landscape, **harm can only be considered to be less than substantial and at the lower end of that spectrum, with this taking a precautionary approach.** The harm identified would be removed on the decommissioning of the solar farm.

Belvoir Castle Conservation Area

- 1.16. Any contribution made by the Appeal Site to the Conservation Area, via 'setting', is derived from the contribution which it makes to the individual heritage assets located within the bounds of the asset – in this case solely related to the understanding, experience and appreciation of Belvoir Castle and the RPG. Accordingly, any potential impacts to the asset, via a change in 'setting' would derive solely from the change to the understanding, experience and appreciation of Belvoir Castle and the RPG, and in turn the contribution which these assets make to the overall heritage significance of the Conservation Area.
- 1.17. When taking into account the heritage significance of the designation as a whole, and the nature of the resulting change, the harm arising to the Conservation Area, via a change in 'setting', can only be considered to be at the **lower end of less than substantial.** The harm identified would be removed on the decommissioning of the solar farm.

Grade I Listed Church of St Mary, Bottesford

- 1.18. The Appeal Site forms part of the 'setting' of the Church of St Mary which contributes to the significance of the asset, with this contribution derived from the ability to understand and experience the Church of St Mary as a way marker in the landscape. The level of contribution made by the Appeal Site is, however, less than that associated with the understanding, experience and appreciation of the asset from its associated churchyard, the settlement of Bottesford and the immediate surrounds of Bottesford and Easthorpe to the north of the A52. Thus, it is my opinion that the Appeal Site forms part of the 'setting' of Church of St Mary which makes a limited, at most, contribution to the overall heritage significance of the asset.
- 1.19. Whilst the proposed development would result in a change to incidental views of the Church of St Mary in views from the Appeal Site, in the majority of views the change would be limited to the foreground of the asset only. This would also be the case in changes to views of the asset from the wider landscape to the south, including from Belvoir Castle. The resulting change to the foreground of an incidental view, some distance from the asset and its associated settlement, would not alter the understanding of the Church spire as a way marker in the landscape.
- 1.20. Views of the Church of St Mary would be removed from certain locations within the Appeal Site; however, in considering the loss of such views their incidental nature is reiterated, alongside the kinetic manner to which the Church is experienced from within the surrounding landscape.

- 1.21. Taking the nature of change into account, and that the significance of the asset is primarily derived from its physical form; that elements of its setting that make a greater contribution to its significance will not be harmed; and that the Appeal Site is only part of wider incidental views to the asset from far beyond its associated settlement, **harm can only be considered to be less than substantial and at the lower end of that spectrum**. The harm identified would be removed on the decommissioning of the solar farm.

Scheduled Moated Grange, Muston

- 1.22. It is my opinion that the Appeal Site does not form part of the 'setting' of the Scheduled Grange site which contributes to their overall heritage significance.
- 1.23. The proposed development would not be visible from within the bounds of the Scheduled area, nor is there considered to be opportunity to legibly experience the proposed development and the Scheduled Monument within the same view from the surrounding landscape. Furthermore, based upon the lack of any definitive historic functional or associative connections, and the clear physical separation which is present, the proposed development would not alter the understanding and experience of the Scheduled Grange site in a 'non-visual' manner.
- 1.24. Based upon the above, and that the significance of the asset is primarily derived from the visible earthworks and below ground remains within the Scheduled area; and that elements of its setting that make a greater contribution to its significance will not be harmed, **I do not consider that harm would arise to this asset, via a change in 'setting'**. The harm identified would be removed on the decommissioning of the solar farm

Grade II* Listed Church of St John the Baptist, Muston

- 1.25. The Appeal Site forms part of the 'setting' of the Church which contributes to the significance of the asset, with this derived from the ability to understand and experience the Church as a way marker in the landscape. The level of contribution made by the Appeal Site is, however, less than that associated with the understanding, experience and appreciation of the asset from its associated churchyard, and the settlement of Muston. Thus, it is my opinion that the Appeal Site forms part of the 'setting' of Church of St John the Baptist which makes a limited, at most, contribution to the overall heritage significance of the asset.
- 1.26. Whilst the proposed development would result in a change to incidental views of the Church of St John the Baptist in views from the Appeal Site, in the majority of views the change would be limited to the foreground of the asset only. The resulting change to the foreground of an incidental view, some distance from the asset and its associated settlement, would not alter the understanding of the Church as a way marker in the landscape.
- 1.27. Taking the nature of change into account, and that the significance of the asset is primarily derived from its physical form; that elements of its setting that make a greater contribution to its significance will not be harmed; and that the Appeal Site is only part of wider incidental views to the asset from far beyond its associated settlement, **harm can only be considered to be less than substantial and at the lower end of that spectrum**. The harm identified would be removed on the decommissioning of the solar farm.

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