

From: William J Hill/HP/NorthLincs
To: Planning/PL/NorthLincs@NorthLincs

Date: 19 May, 2010 10:53AM
Subject: Fw: East Halton ABLE application

Steve.
Scan on 2009.0600 please as a consultation response, including all attachments in full please.

Bill
-----Forwarded by William J Hill/HP/NorthLincs on 19/05/2010 10:52AM -----

To: "william.hill@northlincs.gov.uk" <william.hill@northlincs.gov.uk>
From: "MILLER, Keith" <Keith.Miller@english-heritage.org.uk>
Date: 18/05/2010 08:51AM
Subject: East Halton ABLE application

Dear Bill

We have had problems is emailing this letter to you (see below), and I am also sending with the text in the form of attachments, to be on the safe side. I apologise for the previous delay in response which was due to illness.

Regards

Keith Miller
Inspector of Ancient Monuments and Historic Buildings
English Heritage
Yorkshire and The Humber Region
37 Tanner Row
York
YO1 6WP
tel. 01904 601990



Mr William Hill
North Lincolnshire Council
Church Square House
PO Box 42
Scunthorpe
North Lincolnshire
DN15 6XQ

Direct Dial: 01904 601990

Direct Fax: 01904 601999

Our ref: P00075172

17 May 2010

Dear Mr Hill

Environment/DCMS Circular 01/2001 Town and Country Planning (General Development Procedure) Order 1995

Application for Full Planning Permission

Planning permission to erect buildings and use land for purposes within Use Classes A3, C1, B1 and B8 for port-related storage and associated service facilities together with amenity landscaping and habitat creation, including flood defences, new railway siding, estate roads, sewage and drainage facilities, floodlighting, waste processing facility, hydrogen pipeline spur and two 20m telecom masts, land off Skitter Road, East Halton, North Lincolnshire

Application Reference: PA/2009/0600

I write further to our previous letters of 31st July 2009 and 24 February 2010 (and its associated Appendix) in response to the planning application relating to the above site, and the additional information on this application provided in March and April 2010. We have considered the additional information and offer the following advice. We also take this opportunity to address the implications for this application of the recently adopted Planning Policy Statement 5, and in response to your request of May 10th we provide a summary of our position.

1. Conservation Management Plan

- 1.1 English Heritage cannot support the landscaping proposals in the Conservation Management Plan (version March 2010, para 5.3) that relate to the proposed Office Development in Phase 2, due to the adverse impact of the office development complex on the heritage setting of Manor Farm moated site scheduled monument, and the resulting harm to the heritage significance of the monument. As explained in our previous letters (and explained in detail in the Appendix to our previous letter), we object to the office development, and consequently we object to the detailed proposals for its landscaping treatment.
- 1.2 For similar reasons, we are also unable to support the proposals relating to the landscaping, bunding and roadside treatment of the spine road in the section adjoining the proposed office development. As also explained in our earlier letter, we advise that in order to reduce its adverse impact on the heritage setting of the Manor Farm moated site the road should be aligned further to the east, outside the area of the Landscape Buffer Zone identified in Local Plan policy IN6.
- 1.3 With regard to the proposed landscaping treatment elsewhere in the application site, in so far as it affects the settings of the two Scheduled moated sites at East Halton we refer you again to our earlier responses on the need for a landscaping treatment more in keeping with the historic landscape character of the area. We also agree with the comments of Natural England in their letter to you of 23 April 2010: we support the introduction of more hedges into the layout, but feel that proposed continuous lines of planting landscaping are not in keeping with the historic character of the area, and that it should be amended to a more varied form that respects the variety in the local historic landscape.

2. Letter from Able UK to North Lincolnshire Council

2.1 With reference to the letter of 10 March 2010 from Richard Cram of Able UK to William Hill at North Lincolnshire Council, written in response to our letter of 24 February 2010 commenting on the planning application. We do not accept the

comments in Mr Cram's letter on our response to English Heritage's assessments of Able's treatment of impact on heritage setting. We maintain our criticisms of the ES and the Landscape and Heritage Assessment Supplementary Planning Document provided in support of the planning application, concerning its limitations regarding in the photographic views provided; the over-reliance in the visual assessment on the screening by hedgerows and trees; the limitations in the document's interpretation of heritage setting and its under-assessment of impact on heritage setting and on heritage significance. We maintain our view that the assessment of heritage setting and heritage impact is inadequate and we disagree with its conclusions. In our assessment, the heritage impact of the proposed development would be very significant, and in particular would be harmful to the heritage setting and heritage significance of the Manor Farm moated site.

2.2 These subjects have been discussed in detail in the Appendix to our previous letter which covers the specific points raised in Able's March letter, and explains our position with specific references to relevant sections of the application documents. On the basic issue of assessment of heritage impact, Able's advisors clearly have a different view to English Heritage. This is not simply due to differences in subjective judgement, and we have provided detailed analysis of Able's documentation to show where we believe Able's assessment and conclusions are at fault. It is worth noting that English Heritage is not alone in this: Natural England similarly identified basic errors and shortcomings in Able's assessments of visual impact.

2.3 On the question of the exchanges between Able and EH on the photographic coverage, I refer you to the summary of events in the Appendix (para 3.2) to our previous letter. (A copy of the relevant emails is also included here along with the Appendix.) This shows that EH, as requested by Able, advised on fuller and more appropriate assessment of potential heritage impact. However, despite reiterating our advice and commenting on the limitations of Able's approach, our suggestions were only followed in part, resulting in limitations in the photographic views provided which were criticised not only by EH but also Natural England. As both EH and NE have stated, only limited reliance can therefore be put on the photographic coverage and the conclusions made by Able in supporting and justifying their application. We would agree with Able that the assessment of setting is not wholly reliant on photomontages, and our assessment is also based on field observation. However, as is clear from our previous responses, our assessment draws different conclusions to Able's assessment which we believe has fundamental shortcomings.

2.4 The letter from Able (final page) also misrepresents our understanding of Local Plan policy LC20. We well understand the meaning of this policy. Our point is that unless policy IN6 for the Landscape Buffer Zone (and relevant policies protecting the

historic environment), are properly respected, then the positive changes to the landscape envisaged by LC20 and the council's vision of making the South Humber Bank a model of successful development, will be seriously jeopardised or unachievable.

3. Planning Policy Statement 5 (PPS5)

- 3.1 Planning Policy Statement 5: Planning for the Historic Environment, issued by the Department for Communities and Local Government in March 2010, is now the relevant guidance for the determination of this application. The sections of PPS5 that specifically relate to this application are: HE6, relating to provision of adequate information; HE7 (particularly HE7.1; HE7.2; HE7.5), relating to the significance of the heritage assets affected; HE9 relating to the presumption in favour of the conservation of designated heritage assets and of their significance, and HE10 relating to consideration of the settings of heritage assets.
- 3.2 In English Heritage's view, the present application would result in significant adverse impact to the heritage setting of the scheduled moated sites at East Halton, which in the case of Manor Farm moated site would result in substantial harm to the heritage significance of this nationally important site. The relevant sections in PPS5 are therefore HE9.1 and HE9.2 (i) which states that 'Where the application will lead to substantial harm or to total loss of significance local planning authorities should refuse consent unless it can be demonstrated that: (i) the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss.'
- 3.3 In our view the substantial degree of harm to heritage significance that would result from the current application is unacceptable. It is also avoidable through more sensitive, layout and design and landuse, in accordance with national and regional planning guidance and Local Plan policies HE8 and IN6.

4. Summary of English Heritage position

- 4.1 In the following paragraphs we restate our position on this application. (For fuller detail we refer you to our previous letters of 31st July 2009 and 24 February 2010 and to the Appendix to our previous letter. (For reference, we enclose this earlier Appendix below.)
- 4.2 We have explained in our previous responses the nature of the potentially adverse impact of the development and the resulting harm to heritage significance of the designated heritage assets, particularly Manor Farm moated site. We do not believe that the harm to heritage significance of the statutorily designated heritage assets, and to the historic environment, is necessary in order to deliver the public benefits of new development on the South Humber Bank. English Heritage is not opposed to industrial development on the South Humber Bank, and we recognize that large scale industrial development in this area will inevitably have a significant impact on the settings of Baysgarth and especially Manor Farm moated sites. However, in our view the public benefits of new industrial commercial development can be achieved on the substantial area of land on the South Humber Bank allocated for this purpose, without significant encroachment onto the area immediately east of East Halton village which includes the most sensitive area of heritage setting for

the Manor Farm moated site scheduled monument, and which is included in the area identified by Local Plan Policy IN6 as a Landscape Buffer Zone to be kept free from new development.

- 4.3 The photographic evidence in the application, together with field observation, indicates that the proposed development will replace the majority of the historic landscape within the primary setting of the Baysgarth Farm and Manor Farm monuments, and will feature prominently in views from the scheduled monuments and in views of the Manor Farm monument from large parts of the landscape within the primary setting of the site. Moreover, added to this is the intrusive impact of vehicle activity, noise etc. on heritage setting.
- 4.4 The most harmful elements with regard to heritage setting are the proposed main access road and development to its east in Phase 1, the office development west of the access road in Phase 2, and the south and west part of development in Phase 3. The roads, new buildings, bunding, tree planting, and other landscaping that is involved in these parts of the proposed development have little or no regard for the historic landscape character here, and will be highly intrusive. They will sever the Scheduled Ancient Monuments at Manor Farm and Baysgarth Farm from their wider setting and directly impinge upon and partly destroy their core setting and local context.
- 4.5 Most harmful to heritage significance are those parts of the development in closest proximity to the Manor Farm site, that is the spine access road and the new Office Complex development.
- 4.6 It is clearly in the public interest to minimise the harmful impacts of new development on heritage significance and the historic environment that we have outlined here and described in greater detail in our previous responses. These harmful impacts can not simply be remedied or mitigated by additional landscape screening (as proposed in the Conservation Management Plan, paragraph 5.3), which would itself be intrusive. However, the harmful impact can be significantly reduced by amending those elements of the proposed development that lie closest to the Manor Farm moated site, and which will have a particularly adverse impact on its setting. We therefore advise that:
- Most importantly, the proposed Office Complex west of the access road should be omitted or relocated east of the access road.
 - The spine access road and its landscaping should be readjusted accordingly, and preferably realigned here to run slightly further east and in alignment with the historic field pattern which is here aligned NS/EW.
- 4.7 These two recommendations would also be in line with Local Plan policy IN6 establishing the Landscape Buffer Zone. In previous responses to planning applications and to the Local Plan and LDF, English Heritage has expressed support for Policy IN6. As explained in our previous responses on this application and the URSA application, in our view the Landscape Buffer Zone alongside the east side of East Halton village effectively encompasses the area of the primary core setting of the Manor Farm and Baysgarth moated sites. The Buffer Zone here should be regarded as the minimum area of the primary core setting of these monuments which should be kept free of new development. The two recommendations above would therefore be achieved if the development respected the Landscape Buffer Zone in this area and left it free from new development.

5. Conclusion

- 5.1 **English Heritage reiterates its objection to the current application due to the substantial harmful heritage impact it would have**, which in our view is contrary to national planning guidance in PPS5 on the protection of nationally important heritage assets and their settings; contrary to Regional Spatial Strategy policy ENV8 concerned with protecting the historic environment; to Local Plan policy HE8 for the protection of nationally important archaeological sites and their settings, and to Local Plan policy IN6. **Our recommendation is that the application should be refused on the basis that other factors should not be allowed to outweigh the harm to the historic environment.**
- 5.2 In our view the public benefits of new industrial commercial development can be achieved on the substantial area of land on the South Humber Bank allocated for this purpose, without significant encroachment onto the area immediately east of East Halton village that includes the most sensitive area of heritage setting for the Manor Farm moated site scheduled monument, and which is included in the area identified by Local Plan Policy IN6 as a Landscape Buffer Zone where the presumption is for the area to be kept free from new development.
- 5.3 If the proposed Office Complex were to be removed from the west side of the access road, and the spine access road and its landscaping adjusted accordingly, then in our view the degree of harm to heritage significance would (in PPS5 terms) be reduced to less than substantial, and English Heritage would be in a position to withdraw its objection to the application.

I would be grateful if you would keep me informed of the progress of this application.

Yours sincerely,

Keith Miller
 Inspector of Ancient Monuments and Historic Buildings
 Yorkshire Region
 E-mail: keith.miller@english-heritage.org.uk

This e-mail expresses the opinion of the author and is not necessarily the view of the Council. Please be aware that anything included in an e-mail may have to be disclosed under the Freedom of Information Act and cannot be regarded as confidential. This communication is intended for the addressee(s) only. Please notify the sender if received in error. All Email is monitored and recorded.

Please think before you print- North Lincolnshire Council greening the workplace.

Attachments:

East Halton Able application response Appendix 24.02.10.doc	Visual Assessment email exchange EH and Able UK Ltd 2009.doc	East Halton NLC Able application on 18.05.2010.doc
---	--	--

19 MAY 2010

DATE RECEIVED

Referred to

APPENDIX to letter of 24th February 2010

Application for Full Planning Permission to erect buildings and use land for purposes within Use Classes A3, C1, B1 and B8 for port-related storage and associated service facilities together with amenity landscaping and habitat creation, including flood defences, new railway siding, estate roads, sewage and drainage facilities, floodlighting, waste processing facility, hydrogen pipeline spur and two 20m telecom masts, land off Skitter Road, East Halton, North Lincolnshire.

Local authority application reference: PA/2009/0600

Appendix Part 1: Impact of proposed development on the setting of designated heritage assets.**1. Introduction**

- 1.1 In our preceding letter (Section 2.1 paragraphs 2.1.1 – 2.1.4) we outlined the extent of the settings of Manor Farm and Baysgarth Farm moated sites, and the important contribution that setting makes to the heritage significance of these nationally important archaeological sites. We also explain the avoidable harm to the heritage setting of these sites, and to their heritage significance, that would be caused by the proposed development. The following appendix contains further explanation of the issue of setting in relation to the monuments at East Halton. It also includes a critical assessment of the documentation provided with the application in the *Landscape and Heritage Assessment Supplementary Planning Document* (Able UK Ltd, November 2009, their ref: RC.JD.A.L09.0002).
- 1.2 English Heritage considers that the shortcomings of the ES and its supplementary *Landscape and Heritage Assessment*, render its conclusions on heritage setting unsound and not a suitable basis for a planning approval. In our view the application documentation underestimates the extent and heritage significance of the settings of the Manor Farm and Baysgarth moated site monuments at East Halton, and also underestimates the impact of the proposed development on the settings of these monuments. The documentation does not in our view substantiate the claims in the application that there will only be a minor adverse impact on the setting of the nationally important heritage assets. On the contrary, we believe that the proposed development would bring a significant adverse impact to the setting of the scheduled monuments, which in the case of Manor Farm moated site would be unacceptably harmful. We believe that the application should

be refused on the basis that other factors should not be allowed to outweigh this harm to the historic environment. (See letter Summary and Recommendations for further details.)

2. The Setting of heritage assets

2.1 Because the setting of nationally important archaeological sites is the main concern here, it may be useful to establish some basic principles about the setting of heritage assets. All of the following points are relevant to the assessment of setting and impact on setting in relation to the present application.

2.2 **Basic definition of Setting.** Setting is an established concept that relates to the surroundings in which a historic place is experienced, its local context, embracing present and past relationships to the adjacent landscape. (*English Heritage Conservation Principles, 2008*). The setting of a heritage asset thus includes those parts of its surroundings that have a relationship with it capable of affecting its significance or appreciation. Generally, this will embrace all of the surroundings from which the asset can be directly perceived and all of the surroundings which can be directly perceived from the asset, together with aspects of the asset's local context - those parts of its immediate surroundings that have a relationship with it capable of affecting either its significance or people's ability to appreciate its significance.

2.3 **Analysing setting.** Any assessment of the significance of a heritage asset should include the contribution made by its setting. To establish in detail how setting contributes to the historic and archaeological interest of a heritage asset, consideration needs to be given to the potentially wide range of relationships between the asset and its surroundings, including the natural environment, other heritage assets and the wider landscape. These may include:

- The topography of the heritage asset's setting
- The assets functional relationships with its setting
- The landscape character of the setting
- The history of change in the setting
- The visual interest of the asset within its setting
- Particular views that best reveal the asset's heritage significance
- Other sensory influences affecting the setting
- Other physical, archaeological, historical or design aspects of the asset's immediate surroundings that contribute to its heritage significance

- The integrity of the asset's setting and the rarity of comparable survival.

2.4 **Accessibility.** The contribution setting makes to the heritage asset's significance is not dependent on public access or on the numbers of people experiencing it. The ability to perceive and archaeological sites from publicly accessible places (such as footpaths and roads) is clearly a significant factor in terms of public appreciation and enjoyment, and assessments of impact on setting can usefully identify and evaluate such places. However, for planning purposes, assessment for impact on setting is not restricted to publicly accessible places, and consideration of setting should also take account of other places relevant to assessment of nationally important heritage assets, in this case the sites themselves and places from where the sites may be visible, especially those within its local historic landscape context.

2.5 **Extent of setting.** Setting (whether in terms of visual or other perception) does not have a fixed boundary: the extent of the setting 'envelope' will be influenced by the nature of the surroundings and by the nature of the development. A prominent or intrusive new development, such as large storage units or commercial buildings, access roads and lighting columns, will have setting impacts at a distance, and could extend the setting of an asset beyond what had previously been considered to be its maximum extent. It is the impact of any changes within an asset's setting on its significance and appreciation which should be taken into account, not the proximity of the change.

2.6 **Non-visual factors influencing perception.** Whilst visual perception is often a principle consideration, perception by means of other senses, such hearing and smell, may play a significant role in the experiencing and public appreciation of a heritage asset, and influences such as increased noise, odour, vibration or movement in such a setting could impact on the asset's heritage significance.

2.7 **Local context.** That part of setting that relates to the local context of a heritage asset embraces the various relationships the asset has with its immediate natural and man-made surroundings, and which influence the location or development of the asset, or which have the potential to increase understanding or appreciation of the asset. Consideration of these aspects may include:

- physical relationship (the topography, geology or geography of an asset's surroundings);

- archaeological (the asset's relationship with neighbouring archaeological remains, including historic landscape features);
- historical (the asset's relationships with neighbouring historic sites, buildings or surrounding patterns of historic land-use, where the relationship of the assets with each other mutually enhances the historic significance of the group as a whole and its individual components).

Many historic assets located in settlements or the wider landscape, which originated in different periods and which have no direct functional relationship, will nevertheless be inter-related in terms of setting and context by virtue of their respective contributions to the evolving patterns of settlement and landuse.

2.8 **The local setting context of Manor Farm and Baysgarth moated sites.**

Local context is an important factor in the settings of Baysgarth and Manor Farm moated site. To clarify this point, the following section briefly describes this aspect of the setting of the scheduled moated sites at Baysgarth and Manor Farms, East Halton, and the relationship of the monuments' settings with the Landscape Buffer Zone as defined in the Local Plan.

2.9 Firstly, the wider context of the sites includes the physical, historical and archaeological relationship of the moated sites to the historic settlement pattern of the low East Halton-Killingholme ridge and to other members of the distinctive group of four moated site here. This group of moated sites are regionally especially notable for their large size and good preservation, for their close grouping within neighbouring villages characterised by the survival of early settlement and landscape features. This combination of a group of medieval moated sites within their historic landscape setting is highly significant in heritage terms and is unmatched in the North Lincolnshire and East Yorkshire region. Of the group, the Manor Farm moated site has an especially significant historic landscape setting (see 2.11 below)

2.10 The historic landscape of the east side of East Halton village and parish provides the primary or 'core' local context and visual setting for both Baysgarth and Manor Farm moated sites. These sites represent several phases of occupation over several centuries, from the medieval to the modern period, and throughout this time they have been closely linked with the adjoining farmland in a multitude of ways: physically, historically, socially, economically etc. The moated sites and their adjoining local landscape both reflect this shared history of landuse and settlement development. Thus for the medieval and post-medieval period, when the moated sites were

occupied by manorial centres and major farmsteads, the related developments in the surrounding landscape are represented by historic survivals of former arable field strips in the form of ridge and furrow, along with the small hedged fields of early piece-meal enclosure, and the band of farmland of the more distant Humber Marshes that were formerly used as common pasture. For the later post-medieval phase of the moated sites' development, when their farmsteads were rebuilt on the periphery of the moated areas, the corresponding development in the surrounding landscape is represented today by the regular pattern of hedged fields established by Georgian Parliamentary Enclosure; those nearest the village maintaining the former lines of the ridge and furrow in their boundaries. The rebuilt farmsteads at Manor Farm and Baysgarth date from the late Georgian period onwards, and are among the largest in the village, reflecting the developments made in agriculture as a result of these enclosures.

- 2.11 Analysis of the wider context and local context clarifies the significance of the various factors in heritage setting here. Manor Farm moated site, the site most affected by the application, has especially strong context, with clearly legible topographical and functional relationships with the village, and with the adjoining landscape to the east of the site, stretching to the outlying Humber Marshes and the estuary. The site commands wide views towards the Humber estuary. Its defensive form and commanding position in relation to the landscape of the eastern part of the parish is an important element of the heritage significance of the monument. The views on this eastern and north eastern side (both to and from the monument) are also of primary importance to its heritage significance and to an appreciation of the monument. This eastern area contains a well-preserved sequence of landscape features closely integrated with the Manor Farm site and representing many centuries of landscape development, which are also important to the heritage significance of the monument.
- 2.12 The historic landscape setting of the moated sites thus makes a major contribution to the heritage significance of these nationally important monuments, providing them with a visual context and also a physical, archaeological and historic context encompassing several centuries of history. On the north and east side of the monuments, (most clearly at Manor Farm) their settings effectively extend out from the village to the Humber marsh and shore. This area encompasses the landscape features linked to the phases of the monuments' history: areas of medieval/post-medieval ridge and furrow, small hedged fields created by late medieval and early post-medieval piecemeal enclosure, and the more rectilinear early

19th century Parliamentary Enclosure fields stretching towards the Humber shore.

- 2.13 Within this wider setting on the north and east side of the village, stretching to the Humber marshes, the primary core setting of the East Halton moated sites extends in a broad band ranging between 500 and 1000 metres wide around the northeast and east side of Manor Farm moated site and running south along the east side of the village, past Baysgarth Moated site and into North Killingholme parish. It contains areas of ridge and furrow and other agricultural features of medieval and post-medieval origin, early enclosed fields and later Parliamentary enclosure fields; all of which (as explained above in 2.7 - 2.12) are significant in terms of visual setting and local context. **This core setting area, closely associated with the historic village and its moated sites, provides a visual and historic context for the Scheduled Monuments and is fundamental to their heritage significance.**
- 2.14 The majority of the wider setting of the monuments on the east side of the village, including a significant section of their core setting, are to be comprehensively developed under the current application proposals, to the extent that the present landscape and historic landscape features within the application site will be entirely replaced by new development.
- 2.15 A significant portion of the most important and sensitive part of the core setting of the monuments at Baysgarth and Manor Farm is encompassed in the Landscape Buffer Zone defined in the 2003 North Lincolnshire Local Plan, which extends along the east side of East Halton village and extends into North Killingholme parish. Taking account of the Local Plan land allocations in this area for industrial development, and the consequent potential for large scale and intrusive developments in this area of the South Humber Bank, we advise that **the Landscape Buffer Zone should be regarded as the effective minimum area of the core setting** of these moated site monuments which should be kept free from development. (See letter 2.2.3-2.2.6, and Appendix part 2 below.)

3 Analysis of the Landscape and Heritage Assessment Supplementary Planning Document (Able ref. RC.JD.A.L09.0002).

- 3.1 The following section provides a critical assessment of the *Landscape and Heritage Assessment Supplementary Planning Document* (hereafter L&HA).

3.2 **Background.** On 29 July 2009 English Heritage provided the applicant with advice on further information on assessment of heritage, including recommended viewpoints. Our advice was that:

- wider panoramic views were needed which more closely replicate human vision,
- views should indicate the proposed development (with the aid of photomontages, wireframe views etc.),
- further views were needed for an adequate assessment, and we suggested various viewpoints
- for the moated sites, there was a specific need for wide views taking in the moated sites, their surroundings and the new development.

On 14 August the applicant provided a plan of proposed viewpoints. Following advice from Natural England on additional photographic information and other details required in relation to their landscape assessment, on the 25 August the applicants provided revised drawings showing additional photographic viewpoints. However, only the direction of view was indicated, not the angle or breadth of view. On 26 August English Heritage requested information on the breadth of the views to be taken, and the applicants replied with an example showing this. On 16 September English Heritage advised the applicant that many of their proposed views still did not meet our advice provided in July, and reminded them of our recommendation that the views should show the relationships between the new development and the monuments and their surroundings. The applicant replied on 17 September, simply summarising their photographic coverage, and made no offer to remedy what English Heritage had identified as shortcomings in their coverage, and no further exchange took place. In November 2009 the applicants provided a *Landscape and Heritage Assessment Supplementary Planning Document*, containing their additional photographic views and assessment.

3.3 We maintain our position that some of the photographic views do not adequately show the relationship of the proposed development to the historic sites. In some cases, critical elements - such as the new development or the historic sites - are just out of view. These shortcomings contribute to the L&HA's under-assessment of the impact of the proposed development on the settings of the monuments at East Halton, particularly of Manor Farm moated site.

3.4 However, photographic evidence is not the sole basis of assessment of setting, and field observation is also essential. Despite the limitations of the photographic information in the application, it is

nonetheless possible to identify shortcomings in the L&HA assessment, and to demonstrate that the impacts on setting would be significantly greater than the application claims.

- 3.5 We provide details on these points below, in comments on sections 4-7 of the L&HA. Comments follow the order of the document.

4 Section 4 of L&HA

- 4.1 Para 4.3.6: Table 4.1 and fig. 4.1 refer to the applicant's Historic Landscape Characterisation of the application site and its environs. The applicant's analysis of Historic Landscape Character is based on generalised analysis of mapped historic field boundaries. Whilst this may be useful as a broad brush characterisation, it is too generalised to take account of details of land use, topography, archaeological features and historic relationships, and is consequently of very limited use for the detailed consideration of landscape and heritage setting.
- 4.2 For assessment of the heritage setting of monuments a characterisation analysis needs to be more detailed. For instance, the field on the east side of Manor Farm moated site comprises pasture with pre-enclosure ridge and furrow earthworks originating in the medieval arable field system, and this is in fact its most prominent historic landscape characteristic. However, in the applicant's Historic Landscape Characterisation exercise the majority of the field is defined as Recently Enclosed Land on the basis of its post-1800 Enclosure-period field boundaries, giving no weight to its relict medieval field pattern. This attribution as Recently Enclosed Land undervalues the contribution and significance of this field for the visual setting and historic context of Manor Farm moated site. When the historic character of the relict medieval field pattern here is taken into account as a significant element in the core setting of the Manor Farm site, the heritage impact of the new office development at the corner of the field is seen to be much more significant.
- 4.3 Para 4.3.20: Whilst we broadly agree with the L&HA's summary of factors to be taken into account in an assessment of setting, the interpretation of these factors in the later sections is too narrow, especially with regard to its emphasis on views in and out of a historic site, and the interpretation of the 'visual envelope' (see comments in the following paragraphs).

- 4.4 The list in 4.3.20, and the document as a whole, also fails to mention the fundamental factor of other sensory influences (besides visual) that might affect heritage setting, such as noise, traffic activity etc.
- 4.5 Para 4.3.22 of the Landscape and Heritage Assessment refers to the moated sites at Manor Farm and Baysgarth as 'not visually significant features' and 'indistinct', with 'nothing at all to identify their existence to the lay person'. This is a misrepresentation. The sites are recognised as historic sites by the 'lay-persons' of the village and further afield. Moreover, the sites are locally distinguishable by virtue of their earthworks, especially the Manor Farm moated site which, with its outer bank or rampart, is especially prominent. It is also archaeologically distinctive, as its raised platforms and banks set it apart from other sites in the East Halton – Killingholme group and from most other moated sites in the North Lincolnshire - Humber area. The moated sites at Manor Farm and Baysgarth also have a strong relationship to the layout of the historic village, and to its post-medieval development pattern. The L&HA, due to its omission or under-assessment of these visual, archaeological and historical factors, consequently under-assesses the significance of the impact on heritage setting of the new development.
- 4.6 Para 4.3.23 of the Landscape and Heritage Assessment states that Manor Farm moated site is 'enclosed on all sides by dense scrubby hedgerows and trees', and that 'this perimeter vegetation completely shrouds the site in summer'. However, these claims are again a misrepresentation. The historic site actually extends beyond the hedgerows and key parts such as the outer moat and bank are visible all year round, and offer views over a wide area. Views in and out of the moated 'island' at Manor Farm are possible for the majority of the year when hedgerows are not in full leaf, and partial views are possible even in summer. Moreover, the existence of overgrown hedgerows as a visual screen is not a factor that should be given much weight in the assessment of setting (see below, especially 6.1). Thus, again, the L&HA under-assesses the nature and the significance of heritage setting at Manor Farm moated site and the impact on it of the proposed development.
- 4.7 On the question of 'visual envelope' of the Manor Farm site, the claim in the L&HA that this extends east only to 'the nearest field boundaries' is also not supportable. The 'visual envelope' actually extends further to the east and south-east than this, with visibility extending here across a large part of the application site. The raised elevation of the Manor Farm moated site and the buildings

and specimen garden trees on the island enable the site to be identified in views from the wider landscape.

- 4.8 Moreover, the L&HA fails to properly address the implications of the proposed development on the 'visual envelope'. Para 4.3.23 refers to the present industrial landscape to the south of Manor Farm as 'clearly evident and quite prominent', and Para 4.3.25 states that 'significant visual impact on setting will be...caused by the construction of warehousing to the north and east'. However, the fundamental point, not acknowledged in the L&HA discussion of 'visual envelope', is that **the proposed development, prominently visible through and above the present hedged landscape (and the proposed screening), would effectively extend the visual envelope of the East Halton monuments to these modern features.**
- 4.9 Whilst the L&HA mentions warehousing (in the paragraphs quoted above), it does not mention the lighting columns, nor acknowledge that the office development and access road would be located even closer to the monuments, and clearly have a significant impact on setting. Nowhere does the L&HA acknowledge that the proposed office development is effectively alongside, and partly encroaches into, the same field that contains the east side of the Manor Farm moated site. The L&HA's reference in para 4.3.25 to the warehousing development being located 'within the land allocated in the Local Plan for industrial development', and its dismissal of the office development and access road in this area as 'minor incursions' (i.e. into the Landscape Buffer Zone outside the allocated industrial land) are not acceptable justification for the high degree of the resulting harm to heritage setting.
- 4.10 Para 4.3.26: the L&HA claims that impacts on setting of the new development will be mitigated by new planting, but these landscaping proposals will in themselves be intrusive, and insufficient as mitigation for encroachment of major development into the core heritage setting of the Manor Farm monument. As we advise in our letter (para 2.1.11) and in section 8 below, rather than attempting to screen development which itself is unsympathetically designed and damagingly close to the historic site, the siting and layout of the development should be improved.
- 4.11 Para 4.3.27: states that no development is proposed in the area identified in its Historic Landscape Characterisation as 'ancient enclosed land'. However, as explained above, the characterisation is too general for detailed assessment of setting, and undervalues the significance of survival of ridge and furrow in within later field boundaries. Some of this ridge and furrow will be destroyed by the

development. The development plans also appear to show that the proposed office development to the west of the proposed access road encroaches into the corner of the field containing ridge and furrow lying east of Manor Farm moated site, partly destroying it. The wider question of the impact of the development here (especially the proposed office and access road) on the integrity of the historic landscape setting and context of Manor Farm moated site is not addressed.

5 Section 6 of the L&HA: Supplementary Assessment of Visual Impact

- 5.1 Para 6.2.7 Viewpoint 1: the receptor has been correctly identified in the L&HA as being of high sensitivity. However, we regard the degree of change in this view, including the potential impacts of the lighting columns, to be of *high / moderate* magnitude (rather than *low* as in the L&HA). Combined with the high sensitivity, the conclusion should therefore be *major adverse significance* (rather than *minor/moderate* as in the L&HA).
- 5.2 Para 6.2.9 View 2: the receptor has correctly been identified as of high sensitivity. However, again, the scale of buildings and lighting columns, and their proximity to the historic village and scheduled monument (similar to views 3 and 4) would indicate an assessment of a *high* magnitude of impact (rather than *low* as in the L&HA), leading to the conclusion of *major adverse significance* (rather than *minor/moderate* as in the L&HA). A further point is that the view presented is not the one recommended by EH, which was a view looking northwards from further east along the Kettlebridge Lane track, near the point near where it meets the proposed access road. This view was recommended in order to show the new office development in relation to the east side of the historic village including Manor Farm. However, the view was taken from further west, closer to the village, and looking north-east, which due to its position and range of view, failed to illustrate the proposed office development projecting westwards towards the village.
- 5.3 Para 6.2.11: Views 3 and 4. The L&HA has correctly identified the receptor as of high sensitivity. However it identifies the magnitude of impact as medium and an impact of *moderate adverse significance*. However, in our view the scale of buildings, road and lighting etc. and their proximity to the edge of the historic village and scheduled monument, indicate that the magnitude of impact would be *high*, and the conclusion should therefore be *major adverse significance*.

- 5.4 The views in 3 and 4 are not as recommended by EH. We suggested views looking south and east from outside the north-east corner of the moated site, as well as from within the moated enclosure. However, the alignment of the views 3 and 4 is such that they do not show the moated site in relation to the new development. In the case of view 3 the moated site is just outside the range of view to the right, and in view 4 the view of the new development is partly blocked by fencing in the near foreground. These shortcomings significantly reduce the usefulness of the two photographs in assessing impact on the setting of the moated site. With regard to views of the development from within the moated site, the earlier view no.10 in the ES, taken from inside the moated site, due to its narrow range of view and position, also under-represents the visual impact of the development. Taken together, these factors all lead to an under-representation and underestimate of the assessment of impact in the Landscape and Heritage Assessment, and in our view the conclusion should be *major adverse significance*.
- 5.5 Paras 6.2.13 - 6.2.21, views 5, 6, 7, 16. These views show the impact of the development on the wider setting and historic landscape context of the Manor Farm moated site. The receptors are correctly identified in the L&HA as being of *high* sensitivity. The L&HA assessments of magnitude of impact for 5 and 6 is *medium*, and for 7 and 16 as *low* and its assessment of impact as *minor/moderate adverse significance*. However, in all cases the new development will take up a large proportion of the view with items such as large buildings, lighting columns, long stretches of bunding and new planting, which will represent *high* magnitude of impact on receptors. The assessment should therefore be *major adverse significance*.
- 5.6 Para 6.2.22 – 24: Views 8, 9. The wireframe and photomontage of view 8 does not appear to agree with the site Masterplan of the development and the location on the viewpoint plan. From the position on the plans, one would expect to see the access road and office development in the view.
- 5.7 For view 9, taken from a point on the footpath looking into the SE quadrant, the L&HA correctly identifies the receptor as of *high sensitivity* and the impact as *high*, but wrongly assesses this as giving *moderate adverse significance*, whereas it should be *major adverse significance*. Moreover, view 9 fails to show the proposed development in relation to the Scheduled Monument or village edge. EH had requested a view 'looking south and east from the vicinity of point 16' (i.e. a view across the south and east sides from point 16 in the ES, sufficiently wide to show the proposed

development (particularly the office development) in relation to the Scheduled Monument and village edge). Field observations on site, taking in views of the proposed development site and the Scheduled Monument and village edge, indicate an impact of *high magnitude*, giving an assessment of *major adverse significance*.

- 5.8 Para 6.2.26: view 10 is taken from the footpath which gives views of the east side of the village and of the enclosed fields encompassing the historic village and moated sites. The L&HA identifies the receptor as of *medium* significance and the magnitude of impact as *high*, giving an impact of *moderate/major adverse significance*. However, the significance of the receptor should be rated *high/very high* due to the presence of the footpath, historic village and moated site, resulting in an impact of *major adverse significance*.
- 5.9 Remaining Views 11-16 (and night time views): for these we refer you to the advice of Natural England, which also draws attention to the L&HA's underestimation of impacts.
- 5.10 The above comments, together with those from Natural England, demonstrate that there are serious concerns about the adequacy of some of the photographic representations and accompanying viewpoint commentaries provided with the application.

6 Section 7 of the L&HA: Supplementary Assessment of Visual Impact

- 6.1 The account of the present setting of the Scheduled Monuments of Baysgarth and Manor Farm moated sites (paras 7.2.2 - 7.2.5) defines what it terms a 'core area' and 'outer area' for each site, with the boundaries of these areas defined by hedged boundaries. In our view the L&HA gives undue weight to screening of views by overgrown hedges and trees around the monuments and in the surrounding area. The main reasons for this are:
- The L&HA's assessment makes insufficient allowance for seasonal variation. Whilst the existing overgrown hedges limit views in summer months, they do not entirely restrict views even then, and when the trees are not in full leaf there is greater visibility.
 - Manor Farm moated site extends beyond the hedges that the L&HA claims screen the site from outside view, and the eastern part of the site is visible from the surrounding area and gives views out into the surrounding landscape.
 - In relation to the longevity of archaeological monuments and their land management, the overgrown hedges are ephemeral

features subject to significant change in the short- and long term, including replacement or removal of planting, or a changed management regime that reduces the height of the plants (e.g. hedge management at the traditional height of around 2 metres), any of which would increase visibility from and of the sites. In general, for these and other earthwork sites, the preferred archaeological conservation management regime is to limit trees and hedges to a well-managed minimum, in order to minimise damage to archaeological remains. If site vegetation is to be taken into account, the potential for change in hedgerow and tree cover should be included in the assessment.

- The vegetation and planting at Manor Farm and Baysgarth moated sites lies outside the control of the applicant and, again, any assessment of setting and visibility needs to recognise the potential for change in site management.

We therefore do not think it reasonable to give weight to the screening affect of the overgrown hedges at the East Halton moated sites in the assessment of heritage setting and visibility.

- 6.2 The L&HA (paras 7.2.4-5) describes 'core areas' and 'outer areas' in its account of setting. These are not mapped, but the description indicates that the L&HA's 'core area' of Manor Farm is essentially the inner area of the moated site itself, within the hedges, and its 'outer area' is described as extending to the first field boundaries to the east and south, again defined by the hedges. (The L&HA use of the term 'core' is different to our own use, see 6.5 below.)
- 6.3 In our view these areas and their visual envelopes are drawn too narrowly. In the case of Manor Farm moated site, the L&HA account of the 'core area' in para 7.2.4 underestimates the visibility of the surrounding landscape from the historic site, and of the visibility of the site itself from the surrounding landscape. It does not take account of basic factors: the variability and visual permeability of the hedges, the fact that part of the monument lies outside the hedges in the ditch, and the fact that the ground level on parts of the moated sites, especially of Manor Farm moated site, is higher than the adjoining land, and contains buildings and trees that identify the site in views from the wider landscape. When these are taken into account, the visibility of the site and its sensitivity to impacts on its setting is seen to be higher.
- 6.4 Similarly in para 7.2.5 states that views in the 'outer area' of Manor Farm are restricted to the south and east by the nearest hedges, which is not borne out by field testing: views from different fields and from footpaths enable the site to be seen in its wider setting, extending across several fields. Again, the L&HA

places undue emphasis on the visual screening of unmanaged hedges: views are possible through and over hedges, especially in winter months. Moreover, the assessment is of large scale industrial and commercial development with large buildings, lighting columns, access road, bunds and tree screens etc., which will be clearly visible above any hedges, and which effectively extend the visual envelope around the moated sites (see 2.5 above).

- 6.5 To avoid confusion about terminology, it is worth clarifying that the L&HA's use of the term 'core' area, is different from our use of the term 'core setting'. In the case of Baysgarth moated site the L&HA term refers to the scheduled site and small adjoining paddock areas; in the case of Manor Farm moated site the term refers to the inner part of the scheduled site, within the hedgerow. In our responses on this planning application and the earlier application for the URSA factory, we have used the term 'core setting' and 'wider setting'. Core setting refers to that part of the setting of a heritage asset that forms the local setting surrounding or adjoining the asset, beyond which is the 'wider setting'. Both can be highly important to the asset's heritage significance; in the case of the East Halton moated sites, the 'core' setting is of primary importance for their heritage significance. On the basis of visual assessment and local context, we regard the wider setting as encompassing the surrounding landscape extending to the east as far as the Humber shore, and the core setting as extending in a broad band ranging between 500 and 1000 metres east of the moated sites (see paras 2.12-2.14). The main part of this core setting is effectively encompassed by the Landscape Buffer Zone of Local Plan policy IN6 (2.11 above).
- 6.6 Section 7.3: Context of the scheduled monuments. The L&HA provides a brief account of the context of the monuments but in our view it does not sufficiently recognise the implications of this for an assessment on setting. We have given an account above (paras 2.7-2.13) of the local context of the moated sites, and it is clear that the setting context of Manor Farm moated site extends into and across the application site, and that the proposed development will have a major and irreversible impact on this aspect of setting. In our view, this impact will be harmful and seriously adverse to the setting and heritage significance of the monument.
- 6.7 To summarise the comments on section 7: the L&HA's narrow definition of what it terms the 'core' and 'outer area' of monument setting, together with its narrow definition of context, leads to an underestimate of the setting of the monuments. The critical point here is that **the visual setting of the moated sites, especially Manor Farm, extends much wider than the L&HA acknowledges, and is more sensitive and significant in terms of heritage impact than the L&HA assesses it to be.** The corresponding impact on setting of the new development will

therefore be much greater than the minor impact claimed by the L&HA.

7 L&HA Para 7.5 'Effects on the setting of the monuments',

7.1 Taking account of the preceding points, we can respond to the concluding statement in L&HA Para 7.5 'Effects on the setting of the monuments', as follows (the individual L&HA points are numbered and followed by our response) :

- 1) Visible effects on the settings of the monuments will be limited to views from the monuments, rather than into them.

Response: The L&HA's limitation of the concept of setting to views from and into the monuments is unacceptable, and results in an under assessment of the impacts on setting of the development proposals. Setting properly includes **views to and from** the heritage asset in question, and **views from 'third points'** with the heritage asset and other features (including new development) within the view. There are a wide range of views in the surrounding landscape, some of them from roads and public footpaths, in which the proposed development could be seen together with the east side of the historic village and the moated sites of Baysgarth Farm and, more especially, of Manor Farm.

The L&HA assessment also claims that views from, and onto, the monuments are limited by hedgerows. However, as explained above, with regard to hedgerows, the setting is wider and more sensitive to change than the L&HA acknowledges.

- 2) Many views out of the monuments already have a distant industrial backdrop. There will be a moderate incremental increase in this effect by the closer proximity of storage structures and lighting gantries.

Response: Present views from Baysgarth have a more prominent industrial backdrop than Manor Farm moated site. At the latter the industrial units are presently at a greater distance and less prominent, with only a relatively low impact on the setting of the monument. The present development proposal, with its very large scale buildings, lighting columns, office complex and main access road, represents a *major increase* in overall impact, especially in relation to the setting of Manor Farm.

The new development will dominate the important views east from the Manor Farm moated site monument towards the Humber, and significantly intrude on views within both its core and wider heritage setting. In our view, the proposed development as whole will have a major impact on the setting of the moated sites (especially Manor Farm), with the office

complex to the west of the proposed access road, having a particularly harmful impact. We regard the resulting impact to be of *major adverse significance*. (See details above regarding the L&HA assessment).

- 3) Visible components of the surviving contemporaneous landscape in the core setting will not be affected.

Response: It is not clear whether this comment refers to physical affect, or affect on setting. On both counts the L&HA claim can be disputed. Regarding physical impact, the proposed office development appears to intrude upon and locally destroy a corner of the ridge and furrow landscape that extends east from the Manor Farm moated site.

Regarding setting, we believe that the new development (with the closest elements being the office and main access road) will have an adverse impact on the contribution and significance of the historic landscape features important to the setting of the Manor Farm moated site. However, as explained above, this impact is under-assessed by the L&HA, firstly because the L&HA definition of 'core area' is too limited (see section 6 above), secondly because it restricts its attention to certain areas of 'contemporaneous' features of ridge and furrow and pays insufficient attention to landscape features from other historic periods also relevant to setting, and thirdly because it consistently under-assesses the level of the adverse impact of the new development on heritage setting and heritage significance.

EH's view, explained above, is that the core or primary local setting, determined by visual criteria and historic context, extends between 500 and 1000 metres east of the moated sites, and encompasses landscape features of medieval and later periods that together contribute to the context and setting of the monument. The proposed development will significantly reduce this contribution to setting, and thereby significantly harm the heritage setting and heritage significance of the monument.

- 4) There will be some physical loss of poorly or moderately preserved ridge and furrow features in the outer setting of Manor Farm.

Response: if the implication here is that these areas are not significant to the setting of the monument, then we disagree. As explained above, these areas come within the core setting.

On a point of detail, as also mentioned above, the proposals also appear to show that the proposed office development intrudes upon and locally destroys a corner of well preserved ridge and furrow landscape in the field adjoining the east side of Manor Farm moated site.

- 5) No buried archaeological features that provide a context will be damaged without adequate preservation by record.

Response: this point is of limited relevance to the present discussion on setting, and carries little weight. Whilst the preservation by record of archaeological remains is to be welcomed, it relates only to a specific aspect of historic and archaeological context, which in turn is only one of the components of setting. The preservation by record of archaeological remains representing part of the context of a site cannot itself be accepted as mitigation for development that has a major adverse impact on the setting and heritage significance of a nationally important archaeological site.

- 6) The broad pattern of landscape development survives, unaffected, to the west of the village.

Response: again, this point carries little weight, as the historic landscape setting of the moated sites, especially of Manor Farm, lies primarily on the east side of the village, where the application site lies. The site's defensive form and commanding position in relation to the topography of the eastern part of the parish is an important element of the heritage significance of the monument. The views on this eastern and north eastern side (both to and from the monument) are also of primary importance to its heritage significance and to an appreciation of the monument. This eastern area contains a well-preserved sequence of landscape features closely integrated with the Manor Farm site and representing many centuries of landscape development, which are also important to the heritage significance of the monument. The area on the east side of the Manor Farm moated site therefore contributes very significantly to the heritage interest of the site, and it is this area that will specifically be subject to major adverse impact as a result of the proposed development. In contrast, the western parts of the village, west of the main N-S village street, contain more fragmented historic remains which are less closely associated with Manor Farm moated site and are of much less importance to its heritage significance compared with the area to the east. The survival of features to the west of the village cannot therefore be regarded as compensating for the damage and loss of its setting on the east.

- 7.2 L&HA para 7.5.1 claims that 'Overall these effects are considered to be minor as they do not detract from the core visible setting of the monuments, nor prevent an understanding of their historical significance.' Our view, explained in the preceding paragraphs, is that this conclusion is based on a flawed assessment, and that the development will indeed have a significantly harmful impact on the settings (especially at Manor Farm) which provides a visual and historic context for the Scheduled Monuments and is fundamental to their heritage significance.

- 7.3 L&HA para 7.6.1 states that 'Additional screening is proposed in the vicinity of Manor Farm to screen those structures in closest proximity.' Our view is that the proposed landscaping mitigation of the office development and access road will itself be intrusive, and the only acceptable mitigation would be to move these intrusive elements of the development further away from the Manor Farm moated site.
- 7.4 It should be noted that the L&HA assessment only takes account of visual impacts, and fails to assess the potential impact on other senses besides the visual, that the proposed development would have on the heritage setting of the monuments, for example, the impact of traffic activity, noise and vibration.
- 7.5 L&HA para 7.7.1 states that 'the overall significance of a minor adverse impact on a very important heritage resource is considered to be minor.' EH does not agree with this assessment of the overall significance of the effects. In our view, the sensitivity of the Scheduled Monuments as receptors is **high**, the magnitude of impact (especially for Manor Farm moated site) is overall **high**, and the overall significance of impact of the development (again especially for Manor Farm) is **major adverse**. The proposed development would bring a significant and unacceptably harmful impact to the setting of the scheduled monuments, especially Manor Farm.

8 Conclusion

- 8.1 English Heritage is not opposed to industrial development on the South Humber Bank. However, we recognize that large scale industrial development in this area will inevitably have a major impact on the settings of Baysgarth and especially Manor Farm moated sites. The photographic evidence in the application, together with field observation, indicates that the proposed development will replace much of the historic landscape within the setting of the monuments, and will feature prominently in views from the monuments and in views of the Manor Farm monument from large parts of the landscape within the immediate setting of the site. Moreover, added to this is the intrusive impact of vehicle activity, noise etc. on heritage setting.
- 8.2 The most harmful elements with regard to heritage setting are the proposed main access road and development to its east in Phase 1, the office development west of the access road in Phase 2, and the south and west part of development in Phase 3. The roads, new buildings, bunding, tree planting, and other landscaping that is involved in these parts of the proposed development have little or no regard for the historic landscape character here, and will be highly intrusive. They will sever the Scheduled Ancient Monuments at Manor Farm and Baysgarth Farm from their wider setting and directly impinge upon and

partly destroy their core setting and local context.

- 8.3 Most damaging are those parts of the development in closest proximity to the Manor Farm site, that is the access road and the new office development.
- 8.4 It is clearly in the public interest to minimise the harmful impacts of new development on heritage setting and the historic environment that we have described here. These harmful impacts can not simply be remedied or mitigated by additional landscape screening, which would itself be intrusive. However, the harmful impact can be significantly reduced by amending those elements of the proposed development that lie closest to the Manor Farm moated site, and which will have a particularly adverse impact on its setting. We therefore advise that:
- **The access road should be realigned here to run slightly further east and in alignment with the historic field pattern here aligned NS/EW.**
 - **Most importantly, the proposed office building complex west of the access road should be omitted or relocated east of the access road.**
- 8.4 These two recommendations would also be in line with Local Plan policy IN6 establishing the Landscape Buffer Zone. As explained in our preceding letter, in our view the Landscape Buffer Zone alongside the east side of East Halton village effectively encompasses the area of the primary core setting of the Manor Farm and Baysgarth moated sites. The Buffer Zone here should be regarded as the minimum area of the primary core setting of these monuments which should be kept free of new development. The two recommendations above would therefore be achieved if the development respected the Landscape Buffer Zone in this area and left it free from new development.

END

APPENDIX Part 2: Policy Context

- 1.1 **Archaeological sites.** In view of the impact of the proposed development on the settings of regionally and nationally important archaeological sites, it is important that the archaeological implications of the current proposal are treated as a material consideration when determining this application. Planning Policy Guidance Note 16 (PPG16) Archaeology and Planning issued by the Department of the Environment in November 1990, sets out national advice on developments affecting archaeological sites. This states that where nationally important archaeological remains, whether scheduled or not, and their settings, are affected by proposed development there is a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage to the remains, or which would have a significant impact on their setting of visible remains. (PPG16, paras. 8, 18, 27).
- 1.2 In addition, PPG 16 paragraph 15 requires the protection, enhancement and preservation of sites of archaeological interest and their settings to be included in development plans, and paragraph 23 requires planning authorities to be fully informed about the nature and importance of archaeological sites and their setting when taking planning decisions affecting them.
- 1.3 The guidance on new development in the countryside contained in government guidance PPS7 is also relevant to this proposal. This advises that new developments should respect the value of the countryside as a resource, (PPS 7, para 14), that the quality and character of the wider countryside be protected and, where possible, enhanced, (para 15) and that particular regard should be given to the conservation of areas, features and sites that have been statutorily designated for their landscape, wildlife, or historic qualities (paras 16-17). As the current proposals stand, because of their adverse impact on the settings of nationally important statutorily designated heritage assets, they are not in line with these guidelines.
- 1.4 **The Yorkshire and Humber Plan: Regional Spatial Strategy**
 - 1.4.1 The Yorkshire and Humber Regional Spatial Strategy (May 2008) policy ENV9: Historic Environment, states that:
 - A: *The Region will safeguard and enhance the historic environment, and ensure that historic context informs decisions about development and regeneration.*

B: Plans, strategies, investment decisions and programmes should conserve the following regionally-distinctive elements of the historic environment, enhance their character and reinforce their distinctiveness:

3. Medieval settlements and landscapes...

1.5 North Lincolnshire Local Plan

1.5.1 The North Lincolnshire Local Plan, adopted May 2003, includes amongst its detailed Objectives, under Objective (vi) (the Natural and Built Environment):

- *to safeguard nationally important archaeological sites and monuments;*
- *to protect and preserve other sites of archaeological importance from development which would adversely affect them;*
- *to conserve and enhance North Lincolnshire's historic areas and buildings and landscapes;*

1.5.2 Section 14.35 of the Local Plan sets out the framework for the protection of the area's archaeological remains. The approach reflects the advice in PPG16. In the case of Scheduled Monuments and other nationally-important archaeological sites, Policy HE8 states:

"Development proposals which would result in an adverse effect on Scheduled Ancient Monuments and other nationally important monuments, or their settings, will not be permitted."

1.5.3 With regard to the present application, and the proposed office complex development to the west of the main site access road, and parts of the access road itself, intrude into the area identified on the 2003 Adopted Local Plan as the Landscape Buffer Zone falling within the provision of Policies IN6 and LC20. Both policies have been "saved" by the Council under the provisions of Paragraph 1(13) of Schedule 8 to the Planning and Compulsory Purchase Act, 2004). This landscaped buffer between the South Humber Bank Industrial Area and the settlements of East Halton and

North Killingholme was strongly supported by the Local Plan Inspector in 2003. He considered that:-

"..as a matter of principle...the industrial buffer areas should be maintained at their widest possible extent" [Inspector's Decision letter, Paragraph 12.238],

and concluded that, as a result:-

"...it is right that the industrial buffer areas should be substantial" [Inspector's Decision letter, Paragraph 12.240].

Indeed, the Inspector specifically recommended that, in the interests of clarity, the extent of this buffer area be shown on the Proposals Map.

In 1999, the Council's published a draft Development Brief for this area, which includes the Landscape Buffer Zone. Although the *"Development Brief for the South Humber Bank Development Area"* only reached consultation stage, the Council has for many years used it as the basis for interpreting the North Lincolnshire Local Plan policies and for determining planning applications in this part of North Lincolnshire.

Policy IN6 makes it explicit that:-

"Development will not be permitted within the defined amenity buffer areas associated with the South Humber Bank...."

The reasoned justification to this Policy, reiterating the views of the Local Plan Inspector, explains that:-

"It is essential to maintain the separation between industrial and residential areas" [Paragraph 5.43]

noting that:-

"....on the South Humber Bank there is the potential to create a showcase where industry is placed in greater harmony with its surrounding landscape character" [Paragraph 5.44]

- 1.5.4 Policy LC20 sets out the measures by which the South Humber Bank Landscape Initiative will be implemented. Its justification amplifies the purposes of the buffer. It states:-

"The environment of local communities is heavily dependent not only on the quality of the immediate setting within which the industry lies but also on the general character of the countryside which surrounds it. Buffer areas will be retained between settlements and industry. To protect important sites of nature conservation or amenity value it is proposed to set up a partnership involving the industrial and agricultural communities to co-ordinate and progress schemes of environmental enhancement."

- 1.5.5 It is clear, therefore, that the proposed development within the landscaped buffer is contrary to the Adopted Local Plan Policy IN6. It is also likely to prejudices the implementation of the landscaped buffer which is proposed under the provisions of Policy LS20.

2. English Heritage position

- 2.1 The applicant's document Appendix 4.2 'Buffer Zones Paper' attached to the Able Humber Ports Facility Northern Area Landscape and Heritage Assessment Supplementary Planning Document, argues that buffer zones are usually flexible allocations, allowing for detailed review at planning application stage. However, these comments need to be set against those of the inspector at the 2003 Local Plan Inquiry, who was unequivocal in stating that the industrial buffer areas here were well justified, that they should be 'substantial' and 'maintained at their widest extent', and their position clearly indicated on the Proposals Map. We do not believe that the applicant has made a convincing case for justifying new development inside the Landscape Buffer Zone.
- 2.2 English Heritage believes that the Local Plan policy IN6 is a well justified policy, and that the Landscape Buffer Zone here effectively safeguards the immediate settings of the scheduled moated sites, and that the Buffer Zone should be regarded as the minimum area of the setting of these moated site monuments, encompassing their core setting. We have previously (in response to the emerging Local Development Framework), supported the Landscape Buffer Zone and the presumption against its development, in order to safeguard the settings of the scheduled moated sites at East Halton. We believe that policy IN6, for the retention of a Landscape Buffer Zone free from new development, should be maintained.
- 2.3 Our view is that the proposed development, due to its significantly harmful impact on the heritage settings of the nationally important scheduled ancient monument at Manor Farm, would be contrary to national planning guidance on the protection of nationally

important archaeological sites and their settings; to Regional Spatial Strategy policy ENV8 concerned with protecting the historic environment, and to Local Plan policy HE8 for the protection of the historic environment. Due to the position of the proposed development within the Landscape Buffer Zone, the proposed development would be contrary to the council's adopted Local Plan policy IN6 for a Landscape Buffer Zone in relation to industrial development on the South Humber Bank. It would also prejudice the effective implementation of policy LC20 for environmental protection and enhancement in relation to the Landscape Buffer Zone.

3. Conclusion

- 3.1 The proposed development is contrary to Local Plan policies, and against national planning guidance on the protection of the settings of nationally important archaeological sites. In our view it is not in the public interest to undertake development as proposed in the current application due to its potentially harmful heritage impacts on the historic environment through its adverse impact on the setting of Manor Farm moated site. The application should be refused on the basis that other factors should not be allowed to outweigh this harm to the historic environment.
- 3.2 We advise that the most harmful impacts of the current development proposal on the historic environment could be significantly reduced by amending those elements of the proposed development that lie closest to the Manor Farm moated site and which would have a particularly adverse impact on its setting. **This could be achieved by omitting or relocating the proposed office building complex that is currently proposed west of the access road, and by realigning the access road to run slightly further east and in alignment with the historic field pattern here aligned NS/EW.**
- 3.3 These two recommendations would also be in line with Local Plan policy IN6 establishing the Landscape Buffer Zone. As explained in our preceding letter, in our view the Landscape Buffer Zone alongside the east side of East Halton village effectively encompasses the area of the primary core setting of the Manor Farm and Baysgarth moated sites. The Buffer Zone here should be regarded as the minimum area of the primary core setting of these monuments which should be kept free of new development. The two recommendations above would therefore be achieved if the development respected the Landscape Buffer Zone in this area.

END

Email exchange between EH and Able UK Ltd regarding visual assessment

From: Steve Boland [mailto:sboland@ableuk.com]
Sent: 17 September 2009 17:00
To: MILLER, Keith
Cc: rcram@ableuk.com
Subject: RE: PA/2009/0600 Visual Assessment

Keith

I can reply as follows:

- The photographs from the new views will replicate human vision. Technical details of the photographs (height taken, lens size, recommended viewing distance from page etc.) will to be stated.
See attachment to my email dated 26th August.
- The photographs from the latest visual assessment will be panoramic views with photomontages, wireframe views etc.
See attachment to my email dated 26th August.
- Viewpoints 8 & 9 provides views to the south and viewpoints 1 & 10 provide views to the north.
- Point 16 is replicated as point 9, and has views looking south and east
- Viewpoints 7 and 10 provide views from the east looking across the proposed development site towards the moated sites and the village.
- New viewpoint 3 provides views looking south and east from outside the NE corner of the Manor Farm moated site, a view from inside the moated site would either be obstructed by a hedgerow and line of trees or be near as identical to viewpoint 3.

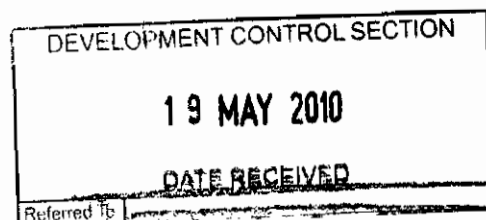
Please find attached a copy of KI-01048 D showing the extent of the views.

The photos were taken on the 11th September 2009.

Kind regards

STEVE BOLAND
Civil Engineer

Able UK Ltd



From: MILLER, Keith [mailto:Keith.Miller@english-heritage.org.uk]
Sent: 16 September 2009 08:06
To: sboland@ableuk.com
Cc: rcram@ableuk.com; nancy.stedman@naturalengland.org.uk;
andrew.taylor@northlincs.gov.uk
Subject: RE: PA/2009/0600 Visual Assessment

Steve

With regard to the new viewpoints and the question as to whether they meet the requirements previously advised by us, I refer you to the email I sent Richard Cram on 29 July this year, which suggested a number of specific views and viewpoints that would be helpful for assessment of heritage impact. From comparison of your new viewpoints and the EH suggestions it appears that many of these suggestions will not be met by your new views.

For instance, the first viewpoint suggested was for wide views 'looking north and south from the footpath running eastwards from Kettlebridge Lane, from a point near where it meets the proposed access road'. This would afford views taking in the proposed development and the archaeological monuments and features on the east side of the village. The new view (no.2) offered by you on Kettlebridge Lane is actually on the east edge of the village, some distance east of the proposed development site and access road, and the viewpoint is shown looking NE towards the development. As such, it does not appear to meet our advice at all. Most of our other suggestions are similarly not addressed.

Rather than analyse each view in this way, I simply refer you to our earlier advice, reproduced below. A comparison with the new viewpoints will reveal the shortcomings of the new views in relation to our recommendations.

[Exerpt from email of 29.07.09 to Richard Cram:

Specifically, the shortcomings of the ES with regard to its treatment of heritage setting can be summarised:

- The photographs in the ES do not replicate the views or human vision. There need to be wider panoramic views with a lens and picture size which more closely replicates human vision. Technical details of the photographs (height taken, lens size, recommended viewing distance from page etc.) need to be stated.
- There is no representation of the proposed development in the views, which makes proper assessment of impact impossible. We suggest panoramic views with photomontages, wireframe views etc.
- The number and position of the current viewpoints and extent of the views themselves (see first point above) do not provide an adequate assessment.

We suggest that for the moated sites, there need to be wide views taking in the moated sites, their surroundings and the new development, for instance:

- views looking north and south from the footpath running eastwards from Kettlebridge Lane, from a point near where it meets the proposed access road.
- Looking south and east from vicinity of point 16.
- Views from the east looking across the proposed development site towards the moated sites and the village, for instance from the vicinity of points 17, 21, and near the shore (around point 7?).
- Views looking south and east from outside the NE corner of the Manor Farm moated site, as well as from within the moated enclosure (viewpoints used in the previous URSA application).

If however, you feel that we have misunderstood the position, then please advise us.

Yours

Keith Miller

*Keith Miller
Inspector of Ancient Monuments
English Heritage
Yorkshire and The Humber Region*

From: Steve Boland [sboland@ableuk.com]
Sent: 26 August 2009 16:57
To: MILLER, Keith
Cc: rcram@ableuk.com
Subject: RE: PA/2009/0600 Visual Assessment

Keith

This is an example of the format we are going to use for the Visual Assessment.

Regards
Steve Boland

From: MILLER, Keith [mailto:Keith.Miller@english-heritage.org.uk]
Sent: 26 August 2009 16:49
To: sboland@ableuk.com; 'Hawthorne, Emma (NE)'; 'Andrew Taylor'; nancy.stedman@naturalengland.org.uk

Cc: rcram@ableuk.com
Subject: RE: PA/2009/0600 Visual Assessment

Steve

I am catching up with developments after a two-week absence from the office. I will get back to you on the heritage-related viewpoints as soon as possible. To assist me, can you confirm the breadth of the view from each viewpoint, in order to get a clearer idea of what would actually be encompassed in each view.

Thanks

Keith Miller

*Keith Miller
Inspector of Ancient Monuments
English Heritage
Yorkshire and The Humber Region*

From: Steve Boland [sboland@ableuk.com]
Sent: 25 August 2009 14:01
To: 'Hawthorne, Emma (NE)'; 'Andrew Taylor'; nancy.stedman@naturalengland.org.uk; MILLER, Keith
Cc: rcram@ableuk.com
Subject: RE: PA/2009/0600 Visual Assessment

Dear All

Further to Nancy Steadman recent request to include original viewpoints, nos. 1, 13 and 23 in the new visual assessment please find attached revised drawings showing these viewpoints added.
We believe the views indicated on the attached revised drawings collate all of your individual requirements.

Kind regards

STEVE BOLAND
Civil Engineer

Able UK Ltd
Teesside TS23 1PX

From: MILLER, Keith
Sent: 29 July 2009 17:24
To: 'rcram@ableuk.com'
Cc: 'Peter Cox'
Subject: East Halton Planning Application PA/2009/0600

Dear Richard

My apologies for not replying sooner. We have considered the available documentation, and our advice on the issue of heritage setting as presently dealt with in the ES is detailed below. English Heritage's concerns, which we detailed in our response to the previous application for the URSA/Western Access Road scheme, and reiterated in our meeting with you in June at York, relate to the impact of the proposed development on the settings of the Scheduled Ancient Monuments at East Halton village. Our view is that there will be a significantly adverse impact, and that this could be avoided if the area of the Landscape Buffer Zone (which we consider effectively safeguards the immediate settings of the scheduled moated sites), is left undeveloped.

With regard to the ES, in our view the present document does not provide an adequate assessment of the setting issue, and does not substantiate the claim in the application that there will not be a significantly adverse impact on the setting of the monuments at Baysgarth and Manor Farm moated sites.

Specifically, the shortcomings of the ES with regard to its treatment of heritage setting can be summarised:

- The photographs in the ES do not replicate the views or human vision. There need to be wider panoramic views with a lens and picture size which more closely replicates human vision. Technical details of the photographs (height taken, lens size, recommended viewing distance from page etc.) need to be stated.
- There is no representation of the proposed development in the views, which makes proper assessment of impact impossible. We suggest panoramic views with photomontages, wireframe views etc.
- The number and position of the current viewpoints and extent of the views themselves (see first point above) do not provide an adequate assessment.

We suggest that for the moated sites, there need to be wide views taking in the moated sites, their surroundings and the new development, for instance:

- views looking north and south from the footpath running eastwards from Kettlebridge Lane, from a point near where it meets the proposed access road.
- Looking south and east from vicinity of point 16.
- Views from the east looking across the proposed development site towards the moated sites and the village, for instance from the vicinity of points 17, 21, and near the shore (around point 7?).
- Views looking south and east from outside the NE corner of the Manor Farm moated site, as well as from within the moated enclosure (viewpoints used in the previous URSA application).

We would be happy to identify, in conjunction with North Lincs Council and other interested parties, specific viewpoint locations.

Regards

Keith Miller

*Keith Miller
Inspector of Ancient Monuments
English Heritage
Yorkshire and the Humber Region
37 Tanner Row
YORK
YO1 6WP
tel. 01904 601990*

From: Richard Cram [mailto:rcram@ableuk.com]
Sent: 25 June 2009 09:03
To: MILLER, Keith
Cc: 'Peter Cox'
Subject: Planning Application PA/2009/0600

Keith,

Following our meeting a couple of weeks ago have you had an opportunity to review the development proposals yet and formulate your requirements for additional information?

Kind regards

RICHARD CRAM
Design Manager

Able UK Ltd
Able House
Billingham Reach Industrial Estate
Billingham
Teesside TS23 1PX

Mr William Hill
North Lincolnshire Council
Church Square House
PO Box 42
Scunthorpe
North Lincolnshire
DN15 6XQ

Direct Dial: 01904 601990

Direct Fax: 01904 601999

Our ref: P00075172

17 May 2010

Dear Mr Hill

Environment/DCMS Circular 01/2001 Town and Country Planning (General Development Procedure) Order 1995

Application for Full Planning Permission

Planning permission to erect buildings and use land for purposes within Use Classes A3, C1, B1 and B8 for port-related storage and associated service facilities together with amenity landscaping and habitat creation, including flood defences, new railway siding, estate roads, sewage and drainage facilities, floodlighting, waste processing facility, hydrogen pipeline spur and two 20m telecom masts, land off Skitter Road, East Halton, North Lincolnshire

Application Reference: PA/2009/0600

I write further to our previous letters of 31st July 2009 and 24 February 2010 (and its associated Appendix) in response to the planning application relating to the above site, and the additional information on this application provided in March and April 2010. We have considered the additional information and offer the following advice. We also take this opportunity to address the implications for this application of the recently adopted Planning Policy Statement 5, and in response to your request of 10th May we provide a summary of our position.

1. Conservation Management Plan

- 1.1 English Heritage cannot support the landscaping proposals in the Conservation Management Plan (version March 2010, para 5.3) that relate to the proposed Office Development in Phase 2, due to the

adverse impact of the office development complex on the heritage setting of Manor Farm moated site scheduled monument, and the resulting harm to the heritage significance of the monument. As explained in our previous letters (and explained in detail in the Appendix to our previous letter), we object to the office development, and consequently we object to the detailed proposals for its landscaping treatment.

- 1.2 For similar reasons, we are also unable to support the proposals relating to the landscaping, bunding and roadside treatment of the spine road in the section adjoining the proposed office development. As also explained in our earlier letter, we advise that in order to reduce its adverse impact on the heritage setting of the Manor Farm moated site the road should be aligned further to the east, outside the area of the Landscape Buffer Zone identified in Local Plan policy IN6.
- 1.3 With regard to the proposed landscaping treatment elsewhere in the application site, in so far as it affects the settings of the two Scheduled moated sites at East Halton we refer you again to our earlier responses on the need for a landscaping treatment more in keeping with the historic landscape character of the area. We also agree with the comments of Natural England in their letter to you of 23 April 2010: we support the introduction of more hedges into the layout, but feel that proposed continuous lines of planting landscaping are not in keeping with the historic character of the area, and that it should be amended to a more varied form that respects the variety in the local historic landscape.

2. Letter from Able UK to North Lincolnshire Council

- 2.1 With reference to the letter of 10 March 2010 from Richard Cram of Able UK to William Hill at North Lincolnshire Council, written in response to our letter of 24 February 2010 commenting on the planning application. We do not accept the comments in Mr Cram's letter on our response to English Heritage's assessments of Able's treatment of impact on heritage setting. We maintain our criticisms of the ES and the Landscape and Heritage Assessment Supplementary Planning Document provided in support of the planning application, concerning its limitations regarding in the photographic views provided; the over-

reliance in the visual assessment on the screening by hedgerows and trees; the limitations in the document's interpretation of heritage setting and its under-assessment of impact on heritage setting and on heritage significance. We maintain our view that the assessment of heritage setting and heritage impact is inadequate and we disagree with its conclusions. In our assessment, the heritage impact of the proposed development would be very significant, and in particular would be harmful to the heritage setting and heritage significance of the Manor Farm moated site.

- 2.2 These subjects have been discussed in detail in the Appendix to our previous letter which covers the specific points raised in Able's March letter, and explains our position with specific references to relevant sections of the application documents. On the basic issue of assessment of heritage impact, Able's advisors clearly have a different view to English Heritage. This is not simply due to differences in subjective judgement, and we have provided detailed analysis of Able's documentation to show where we believe Able's assessment and conclusions are at fault. It is worth noting that English Heritage is not alone in this: Natural England similarly identified basic errors and shortcomings in Able's assessments of visual impact.
- 2.3 On the question of the exchanges between Able and EH on the photographic coverage, I refer you to the summary of events in the Appendix (para 3.2) to our previous letter. (A copy of the relevant emails is also included here along with the Appendix.) This shows that EH, as requested by Able, advised on fuller and more appropriate assessment of potential heritage impact. However, despite reiterating our advice and commenting on the limitations of Able's approach, our suggestions were only followed in part, resulting in limitations in the photographic views provided which were criticised not only by EH but also Natural England. As both EH and NE have stated, only limited reliance can therefore be put on the photographic coverage and the conclusions made by Able in supporting and justifying their application. We would agree with Able that the assessment of setting is not wholly reliant on photomontages, and our assessment is also based on field observation. However, as is clear from our previous responses, our assessment draws different conclusions to Able's assessment which we believe has fundamental shortcomings.
- 2.4 The letter from Able (final page) also misrepresents our understanding of

Local Plan policy LC20. We well understand the meaning of this policy. Our point is that unless policy IN6 for the Landscape Buffer Zone (and relevant policies protecting the historic environment), are properly respected, then the positive changes to the landscape envisaged by LC20 and the council's vision of making the South Humber Bank a model of successful development, will be seriously jeopardised or unachievable.

3. Planning Policy Statement 5 (PPS5)

- 3.1 Planning Policy Statement 5: Planning for the Historic Environment, issued by the Department for Communities and Local Government in March 2010, is now the relevant guidance for the determination of this application. The sections of PPS5 that specifically relate to this application are: HE6, relating to provision of adequate information; HE7 (particularly HE7.1; HE7.2; HE7.5), relating to the significance of the heritage assets affected; HE9 relating to the presumption in favour of the conservation of designated heritage assets and of their significance, and HE10 relating to consideration of the settings of heritage assets.
- 3.2 In English Heritage's view, the present application would result in significant adverse impact to the heritage setting of the scheduled moated sites at East Halton, which in the case of Manor Farm moated site would result in substantial harm to the heritage significance of this nationally important site. The relevant sections in PPS5 are therefore HE9.1 and HE9.2 (i) which states that 'Where the application will lead to substantial harm or to total loss of significance local planning authorities should refuse consent unless it can be demonstrated that: (i) the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss.'
- 3.3 In our view the substantial degree of harm to heritage significance that would result from the current application is unacceptable. It is also avoidable through more sensitive, layout and design and landuse, in accordance with national and regional planning guidance and Local Plan policies HE8 and IN6.

4. Summary of English Heritage position

- 4.1 In the following paragraphs we restate our position on this application. (For fuller detail we refer you to our previous letters of 31st July 2009 and 24 February 2010 and to the Appendix to our previous letter. (For reference, we enclose this earlier Appendix below.)
- 4.2 We have explained in our previous responses the nature of the potentially adverse impact of the development and the resulting harm to heritage significance of the designated heritage assets, particularly Manor Farm moated site. We do not believe that the harm to heritage significance of the statutorily designated heritage assets, and to the historic environment, is necessary in order to deliver the public benefits of new development on the South Humber Bank. English Heritage is not opposed to industrial development on the South Humber Bank, and we recognize that large scale industrial development in this area will inevitably have a significant impact on the settings of Baysgarth and especially Manor Farm moated sites. However, in our view the public benefits of new industrial commercial development can be achieved on the substantial area of land on the South Humber Bank allocated for this purpose, without significant encroachment onto the area immediately east of East Halton village which includes the most sensitive area of heritage setting for the Manor Farm moated site scheduled monument, and which is included in the area identified by Local Plan Policy IN6 as a Landscape Buffer Zone to be kept free from new development.
- 4.3 The photographic evidence in the application, together with field observation, indicates that the proposed development will replace the majority of the historic landscape within the primary setting of the Baysgarth Farm and Manor Farm monuments, and will feature prominently in views from the scheduled monuments and in views of the Manor Farm monument from large parts of the landscape within the primary setting of the site. Moreover, added to this is the intrusive impact of vehicle activity, noise etc. on heritage setting.
- 4.4 The most harmful elements with regard to heritage setting are the proposed main access road and development to its east in Phase 1, the office development west of the access road in Phase 2, and the south and west part of development in Phase 3. The roads, new buildings, bunding, tree planting, and other landscaping that is

involved in these parts of the proposed development have little or no regard for the historic landscape character here, and will be highly intrusive. They will sever the Scheduled Ancient Monuments at Manor Farm and Baysgarth Farm from their wider setting and directly impinge upon and partly destroy their core setting and local context.

- 4.5 Most harmful to heritage significance are those parts of the development in closest proximity to the Manor Farm site, that is the spine access road and the new Office Complex development.
- 4.6 It is clearly in the public interest to minimise the harmful impacts of new development on heritage significance and the historic environment that we have outlined here and described in greater detail in our previous responses. These harmful impacts can not simply be remedied or mitigated by additional landscape screening (as proposed in the Conservation Management Plan, paragraph 5.3), which would itself be intrusive. However, the harmful impact can be significantly reduced by amending those elements of the proposed development that lie closest to the Manor Farm moated site, and which will have a particularly adverse impact on its setting. We therefore advise that:
- Most importantly, the proposed Office Complex west of the access road should be omitted or relocated east of the access road.
 - The spine access road and its landscaping should be readjusted accordingly, and preferably realigned here to run slightly further east and in alignment with the historic field pattern which is here aligned NS/EW.
- 4.7 These two recommendations would also be in line with Local Plan policy IN6 establishing the Landscape Buffer Zone. In previous responses to planning applications and to the Local Plan and LDF, English Heritage has expressed support for Policy IN6. As explained in our previous responses on this application and the URSA application, in our view the Landscape Buffer Zone alongside the east side of East Halton village effectively encompasses the area of the primary core setting of the Manor Farm and Baysgarth moated sites. The Buffer Zone here should be regarded as the minimum area of the primary core setting of these monuments which should be kept free of new development. The two recommendations above would therefore be achieved if the development respected the Landscape Buffer Zone in this area and left it free from new development.

5. Conclusion

- 5.1 **English Heritage reiterates its objection to the current application due to the substantial harmful heritage impact it would have**, which in our view is contrary to national planning guidance in PPS5 on the protection of nationally important heritage assets and their settings; contrary to Regional Spatial Strategy policy ENV8 concerned with protecting the historic environment; to Local Plan policy HE8 for the protection of nationally important archaeological sites and their settings, and to Local Plan policy IN6. **Our recommendation is that the application should be refused on the basis that other factors should not be allowed to outweigh the harm to the historic environment.**
- 5.2 In our view the public benefits of new industrial commercial development can be achieved on the substantial area of land on the South Humber Bank allocated for this purpose, without significant encroachment onto the area immediately east of East Halton village that includes the most sensitive area of heritage setting for the Manor Farm moated site scheduled monument, and which is included in the area identified by Local Plan Policy IN6 as a Landscape Buffer Zone where the presumption is for the area to be kept free from new development.
- 5.3 If the proposed Office Complex were to be removed from the west side of the access road, and the spine access road and its landscaping adjusted accordingly, then in our view the degree of harm to heritage significance would (in PPS5 terms) be reduced to less than substantial, and English Heritage would be in a position to withdraw its objection to the application.

I would be grateful if you would keep me informed of the progress of this application.

Yours sincerely,

Keith Miller

Inspector of Ancient Monuments and Historic
Buildings
Yorkshire Region
E-mail: keith.miller@english-heritage.org.uk