

**Land West of
High Street,
Irchester**

**Critique of
'Historical
Landscape
Assessment' by
MOLA**

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**THE
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Summary

- S1 This Statement has been prepared on behalf of Barwood Strategic Land II LLP, Miss J.P. Redden and Mr R.E. Redden, in respect of the *Irchester, Knuston and Little Irchester Neighbourhood Plan Group Historical Landscape Assessment* produced by MOLA (dated September 2015).
- S2 It specifically gives consideration to the document in terms of the robustness and applicability of the evidence base employed by MOLA and the consequent weight that should be attributed to the document as an evidence base to support the neighbourhood planning process.
- S3 This Statement clearly demonstrates that the *Irchester, Knuston and Little Irchester Neighbourhood Plan Group Historical Landscape Assessment* produced by MOLA is not fit for purpose, does not reflect the requirements of either Government policy or best practice guidance and is not robust in its assessment or conclusions.
- S4 This assessment is based on the following areas, which are considered to be deficient in respect of the use of the report by the Neighbourhood Plan Group:
1. Whilst the MOLA report states that it has been prepared with reference to current planning policy and best practice professional guidance (set out in 2015 by Historic England), there is no evidence that it has applied that policy and guidance in the way intended, so many of the conclusions reached in respect of those proposed development sites that are considered cannot be relied upon to guide strategic housing policy across the Parish;
 2. Indeed, the main guidance referenced in its production was devised for the assessment of registered landscapes in Wales (ASIDOHL2). The report also relies on Environmental Impact Assessment criteria which is inappropriate in this context. As a result many of the judgements made in the report are highly tentative and not supported by robust evidence;
 3. The report broadly resembles a Landscape and Visual Impact Assessment (LVIA), rather than a Heritage Setting Assessment, and therefore concentrates primarily on visual factors and intervisibility, without identifying how and to what extent those factors make a contribution to the significance of heritage assets, with specific emphasis on the Grade I listed Church of St Katherine;
 4. There is clear evidence that the five-step guidance recommended by Historic England to determine setting effects in the historic environment was not properly applied, and the report has over-stated the likely impacts of at least one potential development site (IR16). Its conclusions are at odds with Historic England's own response to the most recent application for IR16, where no objections to the proposals were raised by Historic England in their role as the statutory consultee. On

this basis it is highly likely that all of the different sites considered in the assessment suffer from the same deficiencies identified in this respect;

5. The impact assessment is not robust because, in view of there being no application of current guidance – and therefore no attempt to identify or document why or how the landscape around Irchester and specifically the Church of St Katherine contributes to their heritage *significance* - it does not identify whether or how that significance would be damaged or lost through the proposed development of the land within IR16 - as one of several specific development sites being assessed;
6. The potential impacts identified are centred on the heritage assets' 'settings' – when EH (2011) and HE (2015a) both clearly identify that setting is not a heritage asset and **cannot** be harmed; harm will only accrue in situations where significance is damaged or is lost; and
7. Government planning policy (the National Planning Policy Framework or NPPF) makes it very clear that a 'balanced judgement' should be struck between the benefits of a particular development proposal and the harm to heritage assets that would derive from its implementation. Although "*great weight*" should be given to a heritage asset's conservation – and "*clear and convincing justification*" provided for any harm - it is clear that even proposals resulting in 'substantial harm' would not in themselves preclude development. Given that there are no predictions of such levels of harm in respect of any proposed development site – and indeed across the board no attempt whatsoever has been made to quantify the levels of harm which the development of various identified sites would potentially generate - the decision by MOLA to identify sites that are considered to be 'least compatible with new development proposals' cannot be robust without understanding the wider planning policy context and the benefits that could potentially be delivered through the sites' implementation.
8. Critically, the MOLA report does not present a robust basis for the removal of ANY sites from the Neighbourhood Planning process on the basis of heritage effects at this stage.

Section 1 Introduction

- 1.1 This statement has been prepared by EDP on behalf of Barwood Strategic Land II LLP, Miss J.P. Redden and Mr R.E. Redden, in respect of the *Irchester, Knuston and Little Irchester Neighbourhood Plan Group Historical Landscape Assessment* produced by MOLA (dated September 2015).
- 1.2 It specifically gives consideration to the document in terms of the robustness and applicability of the evidence base employed by MOLA and the consequent weight that should be attributed to the document as an evidence base to support the neighbourhood planning process.
- 1.3 This Statement will explore whether the Neighbourhood Plan Group's reliance upon the MOLA Historical Landscape Assessment report in making its decisions on strategic growth directions is sound, whether the report is fit for purpose, whether it reflects the requirements of Government policy and guidance and whether it is robust in its assessment or conclusions.
- 1.4 Finally, this report will consider what weight should be attributed to the MOLA report as an evidence base to support the neighbourhood planning process.

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Section 2

Commentary in Respect of MOLA (2015)

- 2.1 The introduction to the *Irchester, Knuston and Little Irchester Neighbourhood Plan Group Historical Landscape Assessment* produced by MOLA (dated September 2015) states that it provides “a *Historical Landscape Assessment of the village and general area, with specific reference to a range of proposed development sites around the settlement*”.
- 2.2 In the methodology, it goes on to state that the report “*assesses the effect of the proposed development sites on: the visual environment; the townscape; and heritage assets*”.
- 2.3 In light of the above, the following paragraphs will assess the robustness of the *Irchester, Knuston and Little Irchester Neighbourhood Plan Group Historical Landscape Assessment* (hereafter referred to as MOLA 2015) and its appropriateness as an evidence base to inform and support the neighbourhood planning process and will address the following issues:
1. Is the methodology employed by MOLA (2015) robust in terms of the application of current national planning policy and guidance? and
 2. Are the judgements reached (in terms of the proposed development sites’ likely impact and suitability for development) based on sufficient and robust information?
- 2.4 These key themes will be considered and assessed in the following sub-sections, with the conclusions set out subsequently.

Is the methodology employed by MOLA (2015) robust in terms of the application of current planning policy and guidance?

- 2.5 The Methodology section on page 5 of MOLA (2015) identifies that the assessment of potential effects on heritage assets was undertaken in accordance with current guidance from Historic England, in respect of the management of ‘setting’ and ‘significance’ (HE 2015a, 2015b).
- 2.6 However, despite the reference to this guidance within MOLA (2015) there is little evidence as to how the guidance was specifically employed in the completion of the assessment – particularly the ‘five step’ procedure set out in HE (2015a).
- 2.7 Reflecting the advice set out in Paragraph 128 of the NPPF, Paragraph 12 of HE (2015a) identifies that:

“Amongst the Government’s planning objectives for the historic environment is that conservation decisions are based on the nature, extent and level of a heritage asset’s significance and are investigated to a proportionate degree. Historic England recommends the following broad approach to assessment, undertaken as a series of steps that apply proportionately to complex or more straightforward cases:

Step 1: *identify which heritage assets and their settings are affected*

Step 2: *assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s)*

Step 3: *assess the effects of the proposed development, whether beneficial or harmful, on that significance*

Step 4: *explore the way to maximise enhancement and avoid or minimise harm*

Step 5: *make and document the decision and monitor outcomes”.*

- 2.8 By way of comparison, although MOLA (2015) references HE (2015a), it is quite clear that it employs a different methodology, choosing instead to utilise a methodology devised exclusively for the assessment of the impact of development on historic landscape areas on the Register of Landscapes of Historic Interest in Wales (ASIDOHL2) (Cadw 2007).
- 2.9 It is clear from the outset that the ASIDOHL2 methodology, pertaining only to Welsh Registered Landscapes is not compliant with the NPPF. Notwithstanding its irrelevance in terms of planning policy in England, ASIDOHL2 itself acknowledges that it should be used in *“the assessment of individual projects and the development control process”* and that it does not *“specifically apply to the assessment of development plans and the Strategic Environmental Assessment of plans and programmes, for example, Unitary or Local Development Plan”* (Cadw 2007).
- 2.10 In this way, the use of the ASIDOHL2 methodology in MOLA (2015) is wholly irrelevant to both current planning policy and the primary use for which the assessment methodology was specifically devised. Its use in the MOLA (2015) assessment renders the report’s conclusions essentially meaningless as they cannot in any way be considered compliant with the intentions of Government guidance on the conservation and management of the historic environment in England (Section 12 of the NPPF; DCLG 2012).
- 2.11 Moving on, it is clear that the main focus of the assessment was intended to assess the character and quality of the landscape around Irchester, with particular emphasis on the assessment of the availability of views to and from the Church of St Katherine. This approach is perhaps typical for a Landscape and Visual Impact Assessment (LVIA) – where the focus is placed firmly on changes to landscape character and the potential loss of visual amenity - but again, it is very definitely not reflective of the approach that would be expected where the intention is to understand how the setting of a heritage

asset contributes to its heritage significance; in other words the “*what matters and why*” test identified in HE (2015a).

2.12 Indeed, in the assessment of views of the church and settlement, at no point has the significance of the church, or the contribution that is made to it by aspects such as views in/out, been considered. Instead the focus has been placed on changes in the wider landscape around the settlement and the way in which they might be perceived by people. There is no connection made between the changes that might potentially take place in the landscape and the way in which they are predicted to affect the significance of the church, or indeed the settlement, as heritage assets.

2.13 The fact that MOLA (2015) for the most part represents an LVIA, rather than a ‘historical landscape assessment’ or ‘heritage setting assessment’, is underlined by the methodology section on page 5 which includes the following:

“The industry standard advice on the assessment of landscape impact is the Landscape Institute’s 2013 publication Guidelines for Landscape and Visual Impact Assessment 3rd Edition (GLVIA3).”

2.14 As a consequence of this methodology, whereby no attempt is made to understand or analyse the inter-relationships between the Irchester settlement and the heritage assets within it, and the wider landscape around them – and in what ways and to what extents those inter-relationships contribute to the significance of the heritage assets involved - an undue and inappropriate emphasis is placed on visual factors, as if intervisibility between places in and of itself is important.

2.15 In that regard, recent appeal decisions, most notably that for the Javelin Park energy from waste scheme in Gloucestershire (Application Ref 12/0008/STMAJW), have clarified the interpretation of current guidance, establishing that the ability to see a proposed development either from the heritage asset itself or from within its setting should not be equated with harm to the significance of the asset.

2.16 Instead, the key issue to be addressed in assessing ‘setting effects’, in terms of potential changes to the landscape, is whether and to what extent the proposed development would affect the contribution that setting makes to the significance of the heritage asset.

2.17 For instance, at Javelin Park, the Planning Inspector recommended the approval of planning permission in respect of the proposed scheme, and the Secretary of State agreed with that recommendation, with Paragraphs 1174 and 1175 of their report providing the following commentary on the assessment of setting and the identification of impacts:

“Although structured similarly to the written evidence of Dr Carter, Mr Grover does not, in my view, fully explain his judgement of the contribution that setting makes to the significance of each of the heritage assets he reviews or how the experience of the asset

would be affected by the proposed development. The different approaches taken to St Peter's Church, Haresfield illustrates this.

Both experts describe the Church and attribute its Grade II* status to its architectural and historic interest. Thus it is the fabric of the building that is agreed to be the most significant feature. Dr Carter then assesses the contribution of the setting to the significance of the Church at a variety of scales (UBB3, paragraphs 3.20 to 3.22). He explains not only where the Church can be seen from but why that is important to the appreciation of it. He explains its long-standing role as a physical and spiritual focal point in the parish and how the spire is visible and prominent in certain views up to 1 km away. He particularly notes that it is visible from a number of footpaths which before vehicular transport would have been walked by the congregation guided to the Church by its spire. In contrast, Mr Grover simply describes the views that can be seen of the Church and from the churchyard into what he describes as the rural landscape within which it sits (GCC/2/A, paragraphs 4.15 and 4.16). However, he does not explain how any of that contributes to the significance of the Church as the heritage asset."

- 2.18 The Inspector takes this matter further in Paragraph 1180, stating that "...taking Haresfield Court as one example, Dr Carter identifies the contribution that setting makes to the significance of the asset (that is the house) to relate to the gardens and parkland surrounding it (UBB3, paragraph 3.49). However, Mr Grover seems to combine the asset itself and that setting, placing both in what he describes as a quintessentially rural setting (GCC/2/A, paragraph 4.24). He then assesses the effect that the appeal proposal would have on the views out from the setting of the asset. This seems to me to be an example of considering the setting of the setting which Mr Grover accepted was incorrect [308] but something that he does on other occasions" [EDP's underline].
- 2.19 The importance of this approach is made clear in Paragraph 1181 of the Appeal Report, when the Inspector states that "...the fact that the appeal proposal may be seen from this point (and that has been reviewed under the previous issue) has, in my judgement, no effect on the significance of the heritage asset", which leads to the following conclusion at Paragraph 1183:
- "I consider that, generally, Mr Grover has interpreted the setting of each heritage asset to be far too extensive and, for the most part, incorrectly characterised as rural, particularly when the fall back position is taken into account".*
- 2.20 In other words, and with specific regard to the Grade I listed Church of St Katherine and its wider landscape setting, it is quite likely that, if an assessment is made purely on visual factors and the availability of views (rather than on the contribution made to significance), the extent of an asset's setting will be over-emphasised, and so too the potential for an effect on that through development.
- 2.21 The continuing disregard that the MOLA report has to this industry standard methodology and NPPF-compliant guidance is emphasised on page 13 of the report under the heading 'Significance of Assets affected'. Here the report states the following:

“Assets likely to be affected are:

- *The setting of St Katherine’s Church;*
- *The setting of other listed buildings; and*
- *The setting of non-designated assets.*

It should be noted that ‘setting’ whilst an asset, does not have significance in its own right, but contributes to the significance of the asset(s) to which it refers”.

- 2.22 Even a cursory reading of HE (2015a) and HE (2015b) makes it clear that *setting* is not in itself a heritage asset and cannot be harmed and is of value only insofar as it contributes to the significance of a heritage asset. Indeed, the latter guidance makes it very clear that change to the setting of a heritage is ‘inevitable’ – but harm will only be the result if significance is lost or damaged.
- 2.23 Therefore, the entire assessment process is fundamentally undermined from the outset in its misapprehension of what constitutes a heritage asset and the contribution that setting makes to heritage significance. Accordingly, the resultant conclusions of MOLA (2015) on the potential impacts to the setting of heritage assets is irrelevant – setting can be changed, but only significance can be harmed. Thus, it is clear that while the Historic England guidance and terminology of the NPPF has been referenced in the report it has not been followed and applied.
- 2.24 Similarly, Appendix C of MOLA (2015) identifies the ‘*Methodology for determining significance*’ noting that a set of ‘values’ were applied to the assessment of significance for those heritage assets considered; taken from English Heritage (2008) *Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment*. However, there is no subsequent evidence that this set of ‘significance values’ has been applied to the heritage assets being assessed.
- 2.25 In that regard, it is concerning that Table T2 of Appendix C illustrates examples of the significance of heritage assets expressed on a scale of “*Very High, High, Medium, Low and Negligible*”.
- 2.26 It is more concerning that Table 2 is an amended version of a table from the *Design Manual for Roads and Bridges* (DMRB), which was devised by the Highways Agency for the assessment of impacts arising from an Environmental Impact Assessment scenario. In that respect, it must be recognised that Table 2 of Appendix C of MOLA (2015) does not outline a sliding scale of ‘significance’ – instead it identifies the ‘*importance*’ or ‘*sensitivity*’ of receptors in the way that would be expected for an Environmental Statement.
- 2.27 The ‘concern’ stems from the fact that the NPPF, and associated guidance addressing the historic environment, focuses on the identification and management of

'significance', which (by virtue of its age – i.e. 2008) is not a matter considered by the DMRB. Hence it is not recommended for use by Historic England.

- 2.28 The significance of a heritage asset is defined in the NPPF as "...the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic".
- 2.29 The significance of an asset is the sum of the archaeological, architectural, artistic or historic values that it holds, with there being a clear recognition that not all of the values will be exhibited by each asset under consideration.
- 2.30 Therefore, whilst it is appropriate to ascribe a sliding scale to the individual values comprising the significance of a heritage asset, in the way that the Drury McPherson Partnership do in respect of *Bolsover Castle, Derbyshire: A Conservation Plan for English Heritage* (2012) for instance, it is inappropriate to ascribe an overall level of significance to the asset in question using EIA assessment criteria.
- 2.31 Current methodologies do acknowledge that the balance of 'values' contributing to a heritage asset's significance should be identified and assessed, but the significance of that asset is always going to be the **sum** of the archaeological, architectural, artistic or historic values that it holds, rather than being high, medium or low.
- 2.32 Notwithstanding the above, it is clear that despite these two contrasting methodologies identified in Appendix C of MOLA (2015), neither is subsequently utilised to assign value or significance to any heritage asset identified in the report, essentially making their inclusion here meaningless and confusing, and once more reflecting the recurring theme of the report, whereby guidance has been referenced but not subsequently applied.
- 2.33 In summary, whilst it is true to say that MOLA (2015) identifies the correct policy and guidance, it is equally true to say that it wholly misinterprets this guidance, or simply ignores it, while furthermore including additional irrelevant guidance which does not conform to planning policy or industry best practice.
- 2.34 The NPG's reliance on an evidence base that comprises irrelevant Welsh guidance and LVIA methodology is flawed and carries the inevitable risk that the potential for effects upon heritage assets is over-stated.
- 2.35 In light of the position set out above, it is highly questionable whether the judgements reached in respect of the potential impacts of the identified development sites on the historic environment, in terms of 'impacts' and their 'suitability for development', can be taken as being in any way robust for the purposes of a neighbourhood plan evidence base.

Are the judgements reached (in terms of the 'proposed development sites' likely impact and suitability for development) based on sufficient and robust information?

- 2.36 An assessment of the potential impacts of the development of various sites around Irchester on the historic environment is presented in tabular form on page 16 of MOLA (2015) and begins with a table titled '*Assessment of the study area by view*' - once more erroneously focussing on changes to views as the prime indicator of potential adverse effects on heritage assets.
- 2.37 As (HE 2015a) makes clear, to correctly assess the potential impact of development proposals on heritage assets, the focus of the site visit and the assessment should have been to determine whether, how and to what extent the proposed development of the potential sites would result in a loss of significance from the heritage assets in their wider zones of influence. Guidance makes clear that this is not strictly a matter of inter-visibility.
- 2.38 The subsequent '*Assessment by Site*' section, once more ignoring relevant policy and guidance, appears to focus on determining whether or not the identified development sites are 'sensitive to change' - as though these development sites are heritage assets themselves, and without having first ascribed any heritage values or significance to these land parcels elsewhere in the document. Not only does this conflict with the guidance set out in the NPPF and Historic England's setting guidance (HE 2015a), it also ignores the approach that is set out by MOLA in its own report – in the methodology in both Appendix A and Appendix C.
- 2.39 The tables in the '*Assessment by Site*' section provide no assessment of the significance of any heritage asset affected and no attempt is made to identify *why and to what extent* the rural and managed agricultural landscape around the village makes a strongly positive contribution to the understanding and appreciation of these heritage assets. Moreover, this assessment is obviously flawed because it does not identify the 'values' that 'embody' the significance of any heritage asset, including the church that it claims would be affected.
- 2.40 Instead, the assessment merely resorts to making sweeping and generalised statements (which are unsupported by evidence or reasoning) about each proposed development site based on whether or not there are views of the church from within them.
- 2.41 No attempt is made to explain the rationale behind the views that are selected in the MOLA assessment in terms of their contribution to the significance of the church or settlement as heritage assets, aside from identifying mere visibility of the church.
- 2.42 In terms of the MOLA (2015) assessment of the Church of St Katherine, in the absence of any apparent understanding of how the values set out in HE (2008) or Annex 2 of the NPPF (2012) or its setting make a contribution to its significance, it cannot be concluded with any confidence that there would be any adverse effects on this Grade I listed building by any form of proposed development.
- 2.43 Nonetheless, MOLA (2015) identifies a number of proposed development sites as being "*least compatible with new development proposals*" principally because they have been assessed as having "*sensitive views (i.e. uninterrupted vistas synonymous with the*

development of the main settlement of Irchester) that make the particular plot an asset to the historical character of the village”.

- 2.44 Once more, in the absence of an assessment of either the significance of the development areas themselves, the village’s significance as a heritage asset, or the significance of any heritage assets within the village – or any statement as to how their setting contributes to that significance (Step 2 of HE 2015a); the identification of ‘*sensitivity to change*’ for any of the identified development areas simply cannot carry any weight whatsoever. Recent appeal decisions have made it fundamentally clear that the ability to see a proposed development site from a heritage asset cannot in itself be considered harmful; it’s a question of whether there would be a loss of significance from the asset as a consequence of that proposed change.
- 2.45 As previously noted, MOLA 2015 begins its assessment under the misapprehension that ‘*setting*’ is a heritage asset when HE (2015a) and HE (2015b) make it clear that *setting* is not in itself a heritage asset and cannot be harmed.
- 2.46 It is therefore just plain wrong and, frankly, meaningless to make any conclusion on the viability of a proposed development site (as MOLA 2015 goes on to do) based only on the potential for effect on the ‘*settings*’ of heritage assets.
- 2.47 Furthermore, it should be noted that Paragraphs 133 and 134 of the NPPF both make the judgement that, in any event, harmful development is not necessarily unacceptable – if the benefits that flow from it outweigh the harm accruing.
- 2.48 However, it is hard to see how any judgement on the benefits or harm of development proposals could be made on the basis of the information made available in MOLA (2015).
- 2.49 In the absence of specific information on the form of development proposed and the way in which it would be delivered, it is not credible to distinguish between sites ‘*least compatible with new development proposals*’ and those having a ‘*low overall sensitivity to change*’.
- 2.50 Indeed the conclusions of MOLA 2015, taking only one example in the form of the identified IR16 site, are at odds with Historic England’s own response to the most recent application for this area of land, where no objections to the proposals were raised by Historic England in their role as the statutory consultee. On this basis it is highly likely that all of the different sites considered in the assessment suffer from the same deficiencies identified in this respect;
- 2.51 It is clearly evident (in so many ways) that the assessment undertaken by MOLA in drafting their report for the NPG does not follow Historic England guidance – despite clear assertions to the contrary - and because it does not follow the recommended approach it is far from surprising that the conclusions reached in respect of heritage assets are neither credible nor robust.

- 2.52 Even setting those deficiencies to one side, it is clear that none of the impacts predicted to occur by MOLA (2015) would amount to 'substantial harm' under the NPPF; and so because they would instead be assessed in accordance with Paragraph 134 of the NPPF, it would still be beholden on WBC as the Local Planning Authority to determine whether the public benefits of development in these locations would outweigh the level of indirect harm predicted to designated heritage assets and proceed accordingly.
- 2.53 There is nothing in this report that provides a sound evidence base to support the development of those sites identified as having a '*low overall sensitivity for change*' over those deemed '*highly sensitive to change*' and '*least compatible with new development proposals*'. The conclusions made have been reached in a vacuum of nationally recognised policy and guidance in relation to the historic environment, and as such are themselves unsound.
- 2.54 So, the conclusions of MOLA (2105)– i.e. whether proposed development sites are sensitive to change- is in itself irrelevant in the context of current and professional guidance and the requirements of the NPPF (which advocates a balanced approach to *harm and benefits*), given that they state that setting is not an asset and cannot actually be harmed, but also particularly because Paragraph 4 of HE (2015a) recognises the following:
- "The NPPF makes it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve".*
- 2.55 Set within that (proper) context, the question should be whether the setting of the asset can be conserved and managed in a way that would maintain its contribution to the significance of the heritage assets (i.e. the Church of St Katherine).
- 2.56 The 'thrust' of the HE setting guidance is that individual development proposals should be carefully assessed, to determine their impact on a case by case basis, rather than taking the spatial/geographic approach and identifying whether the proposed development is inside or outside of a pre-defined zone of 'setting' or simply whether it forms part of a view of, or from, a heritage asset.
- 2.57 Given the limitations of the assessment, and the fact that it bears no resemblance to the current requirements of the NPPF and Historic England guidance, it can only be concluded that the judgements reached in terms of the proposed development sites' likely impact and suitability for development are entirely unsound, and therefore it should not be used to underpin the Neighbourhood Plan Group's decisions on strategic growth directions in the Parish.

Section 3 Conclusions

- 3.1 This Statement has been prepared on behalf of Barwood Strategic Land II LLP, Miss J.P. Redden and Mr R.E. Redden, in respect of the *Irchester, Knuston and Little Irchester Neighbourhood Plan Group Historical Landscape Assessment* produced by MOLA (dated September 2015).
- 3.2 It has specifically given consideration to the document in terms of the robustness and applicability of the evidence base employed by MOLA and the consequent weight that should be attributed to the document as an evidence base to support the neighbourhood planning process.
- 3.3 In light of the review that has been carried out – the results of which are set out in the preceding sections, it is EDP’s clear and unequivocal conclusion that the MOLA 2015 report is not fit for its intended purpose, does not reflect the requirements of either Government policy or best practice guidance and is not robust in its assessment or conclusions addressing the conservation and management of the historic environment.
- 3.4 This assessment is based on the following areas, which are considered to be deficient in respect of the use of the report by the Neighbourhood Plan Group:
- Whilst the MOLA report states that it has been prepared with reference to current planning policy and best practice professional guidance (set out in 2015 by Historic England), there is no evidence that it has applied that policy and guidance in the way intended, so many of the conclusions reached in respect of those proposed development sites that are considered cannot be relied upon to guide strategic housing policy across the Parish;
 - Indeed, the main guidance referenced in its production was devised for the assessment of registered landscapes in Wales (ASIDOHL2). The report also relies on Environmental Impact Assessment criteria which is inappropriate in this context, so it is no surprise that many of the judgements made in the report are highly tentative and not supported by robust evidence;
 - The report broadly resembles a Landscape and Visual Impact Assessment (LVIA), rather than a Heritage Setting Assessment, and therefore concentrates primarily on visual factors and intervisibility, without identifying how and to what extent those factors make a contribution to the significance of heritage assets, with specific emphasis on the Grade I listed Church of St Katherine;
 - There is clear evidence that the five-step guidance recommended by Historic England to determine setting effects in the historic environment was not properly applied, and the report has over-stated the likely impacts of at least one potential development site (IR16). Its conclusions are at odds with Historic England’s own response to the most recent application for IR16, where no objections to the

proposals were raised by Historic England in their role as the statutory consultee. On this basis it is highly likely that all of the different sites considered in the assessment suffer from the same deficiencies identified in this respect;

- The impact assessment is not robust because, in view of there being no application of current guidance – and therefore no attempt to identify or document why or how the landscape around Irchester and specifically the Church of St Katherine contributes to their heritage *significance* - it does not identify whether or how that significance would be damaged or lost through the proposed development of the land within IR16 - as one of several specific development sites being assessed;
- The potential impacts identified are centred on the heritage assets' 'settings' – when EH (2011) and HE (2015a) both clearly identify that setting is not a heritage asset and **cannot** be harmed; harm will only accrue in situations where significance is damaged or is lost; and
- Government planning policy (the National Planning Policy Framework or NPPF) makes it very clear that a 'balanced judgement' should be struck between the benefits of a particular development proposal and the harm to heritage assets that would derive from its implementation. Although "*great weight*" should be given to a heritage asset's conservation – and '*clear and convincing justification*' provided for any harm - it is clear that even proposals resulting in 'substantial harm' would not in themselves preclude development. Given that there are no predictions of such levels of harm in respect of any proposed development site – and indeed across the board no attempt whatsoever has been made to quantify the levels of harm which the development of various identified sites would potentially generate - the decision by MOLA to identify sites that are considered to be 'least compatible with new development proposals' cannot be robust without understanding the wider planning policy context and the benefits that could potentially be delivered through the sites' implementation.

3.5 As a result of inherent weaknesses in the methodologies employed – and therefore clear deficiencies in the conclusions reached insofar as they relate to the historic environment - it is quite apparent that the Neighbourhood Plan Group should attribute little or no weight to the MOLA 2015 document when making decisions on strategic growth directions in the Parish. Certainly the MOLA report presents no robust case for the removal of specific sites from the Neighbourhood Planning process at this stage.

3.6 The NPG's reliance upon this document in making its decisions on strategic growth directions is unsound and should be re-examined when properly considered reports, prepared according to current guidance, have been prepared.

Section 4 References

CADW 2007 Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process: Revised (2nd) Edition Including Revisions to the Assessment Process (ASIDOHL2)

English Heritage (EH) 2011 *The Setting of Heritage Assets* (London)

Historic England (HE) 2015a *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets* (London)

Historic England (HE) 2015b *Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment* (London)

MOLA 2015 *Irchester, Knuston and Little Irchester Neighbourhood Plan Group: Historical Landscape Assessment*

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